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All questions you may have on reintegration possibilities and on which you don't find the answer in this country sheet, can be directed to the helpdesk of Caritas International Belgium.

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COUNTRY SHEET

KOSOVO

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Our **local partners** in Kosovo are:

- **Employment Promotion Agency Kosovo (APPK) (www.appk.org)**
- **The Kosovo Rehabilitation Centre for Torture Victims (KRCT) (www.krct.org)**

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CHAPTER I

1. Access to territory (from country of asylum to return area)

Based on the UNMIK Regulations 2005/53, 2005/16, 2005/19, 2006/26 and Administrative Instruction 2005/8, the Department of Borders, Asylum and Refugees is established within the Ministry of Internal Affairs of Kosovo, and its mandate is to provide efficient border management as well as sustainable systems of repatriation. The Department conducts admission of refugees and asylum-seekers and assists them in solving possible difficulties during the accommodation process and their integration into Kosovan society, and implements repatriation policy in accordance with the conventions, laws and standards determined by the European Union. The Readmission Policy introduces the strategy and procedures in Kosovo for handling readmission of persons originating from Kosovo and residing without legal status in host countries.

In principle, no person will be readmitted to Kosovo unless the person has been confirmed to originate from Kosovo. To prepare and readmit its citizens, Kosovan Authorities will cooperate with the host countries to realise their safe and dignified returns. Such cooperation will include signing of procedural agreements and eventually, formal readmission agreements with these host countries. Kosovan Authorities will seek to reach an agreement with host countries, to attain durable returns of all residents of Kosovo by implementing readmission procedures elaborated in Section IV of the Readmission Policy, and monitor such readmission procedures in Kosovo to be conducted in compliance with relevant international human rights standards¹.

¹ UNMIK/PISG, Readmission Policy, November 2007, http://kosovoroma.files.wordpress.com/2008/02/readmission-policy_eng_281107.pdf, pages 2-3, accessed in November 2009

Furthermore, in order to overcome the challenge related to the management of a big influx of people who will undergo the process of repatriation, the government of Kosovo has adopted a “Strategy for Reintegration of Repatriated Persons²”, which is based on the principle of equality and covers all aspect of reintegration: initial reception assistance, legal reintegration, access to health care, employment, education, social welfare, humanitarian minority transportation, vulnerable groups and social housing and property. All sections pay special attention to the reintegration of minority communities.

However, OSCE ‘s opinion is that Kosovo’s local authorities fall short of fulfilling their obligations to support the reintegration of persons repatriated to Kosovo from host countries. Only few steps have been taken to implement the Strategy at the local level, and necessary funds have not been allocated to extend specific reintegration assistance to repatriated persons. There is a general lack of awareness among relevant local authorities of their roles and responsibilities. As a consequence, repatriated persons often remain without any assistance, information about access to services, or other reintegration opportunities upon their arrival in Kosovo. The lack of assistance they face in the areas of housing, schooling, and economic opportunities often lead to serious reintegration problems for individuals and families, in particular persons belonging to non-majority communities³.

1.1 Documentation

1.1.1 Travel documents needed for returnees

In order to travel to Kosovo, a returnee must possess a valid Kosovo passport or travel document issued by Kosovo’s authorities, or valid UNMIK Travel Document, or other documentation such as an emergency travel document (laissez-passer) issued by asylum

² UNMIK, PISG, “Strategu for Reintegration of Repatriated Persons”, October 2007, available http://kosovoroma.files.wordpress.com/2008/02/reintegration-strategy_eng.pdf, accessed in November 2009

³ OSCE mission in Kosovo, Department of Human Rights and Communities, “Implementation of the Strategy for Reintegration of Repatriated Persons in Kosovo’s Municipalities”, November 2009, http://www.osce.org/documents/mik/2009/11/41281_en.pdf, accessed November 2009

country authorities - which is a document similar to a passport and permits them to return to the country of origin - or return travel passes⁴ issued by Kosovo diplomatic representatives in the respective country.

In specific cases, when a person does not possess any document similar to a regular passport or emergency travel document (*laissez-passer*), border police will request at a minimum a photo ID that proves his/her identity. This includes photocopies of a valid travel document, expired travel documents, a form of ID, driving licence, military book or a photocopy⁵. If a returnee has none of the above mentioned documents, the border police will contact the returnee's family and request them to come to the border point to provide evidence of the returnee's identity, prior to allowing him/her to enter Kosovo⁶.

Travel documents will be issued only after proper identification is confirmed in accordance with the readmission procedures, and such travel documents will be issued by the host countries until Kosovo sets up its consular services. However, based on the many requests of Kosovan citizens for travel documents, the Ministry of Foreign Affairs of Kosovo authorized its diplomatic representatives to issue return travel passes before starting to offer the full package of consular services. Travel passes for return are issued by Embassies of the Republic of Kosovo, according to criteria specified in Administrative Order of the MI, No. 14/2008⁷. Currently Kosovo has established its embassies in the following European countries: Belgium, United Kingdom, Switzerland, Austria, Italy, France, The Netherlands, Sweden, Slovenia, Croatia, Hungary, and Bulgaria.

⁴ <http://www.ks-gov.net/mpj/?page=2.6> , accessed in November, 2009

⁵ UNMIK/PISG, Readmission Policy, November 2007, available at: http://kosovoroma.files.wordpress.com/2008/02/readmission-policy_eng_281107.pdf, pages 13, accessed in November 2009

⁶ Information received from telephone interview of duty police officer at the office of deportation in Prishtinë/Pristina International Airport, November, 2009

⁷ http://www.mpb-ks.org/repository/docs/rregulloria_vendbanim_shq.pdf, accessed in November, 2009

1.1.2 Documents needed in the country of return

When a Kosovan citizen is returned to Kosovo and never has been registered in the civil registers book (basic register), he/she should go to the respective Municipal Centre for Civil Registration (MCCR) to proceed with registration. This will enable him/her to obtain other necessary documents needed i.e. Identification card (ID), birth certificate, marriage certificate, property documents, travel document, citizenship documents, etc.

1.1.3 How to obtain necessary documents

1.1.3.1 Civil Registration

As mentioned above, for returnees who have never been registered the first step to obtain documents is to go to their respective municipal centre for civil registration (MCCR). In order to be registered a person should meet the following requirements and criteria⁸:

Registration requirements:

- I. A person lives in or returns to Kosovo;
- II. Persons who return should prove their intention for resettlement in Kosovo and prove their identity;
- III. Persons should prove their permanent residence in Kosovo and be personally present in the civil registration office.

Registration criteria:

- A. The person is born in Kosovo,
- B. That one of his/her parents was born in Kosovo,
- C. That he/she has stayed in Kosovo without interruptions for at least 5 years,
- D. That he/she has stayed in Kosovo less than 5 years, but he/she has not stayed for 5 years only because he/she was forced to leave Kosovo,

⁸<http://www.rks-gov.net/sq-AL/Qtytaret/Shtetesia/Pages/Dokumentet.aspx>, accessed in November, 2009

- E. That he/she is under 18 years of age and otherwise a dependent child of a person registered under the criteria from A to D,
- F. That he/she is under 23 years of age and otherwise a dependent child of a person registered under the criteria from A to D, as well as to be a regular student at a recognized educational institution.

In addition, returnees who are not registered need to submit the following documents:

- **Birth Certificate** – In order to be supplied with a birth certificate, a returnee must apply at the respective municipality by filling out a birth certificate application form and paying an administrative fee of 1 EUR.
- **Residential certificate** – This document is issued in the name of the head of household – a returnee must fill in a residential application form, submit a copy of ID, and a copy of an electricity, telephone or any other public utilities bill that proves the residency of the applicant, and pay administration fees of 2.5 EUR.
- **A travel document issued by the host country**

For the children that were born in the host country, the documents below are needed in order to get registered:

- Birth certificate - original copy issued by registration centre in host country.
- Marriage certificate of the parents.
- Photocopy of the UNMIK or Kosovo ID of the parents.

1.1.3.2. Identification Card (ID)

Again, the returnee must go to the respective municipality centre for civil registration and apply for the ID by submitting the following documents⁹:

- 2 photocopies of the birth certificate (for married women a marriage certificate is needed too);
- 2 photocopies of the residential certificate;

⁹ <http://www.rks-gov.net/sq-AL/Qytetaret/Shtetesia/Pages/Leternjoftimi.aspx>, accessed in November, 2009

- 2 photocopies of old ID card; and
- 2 photocopies of Citizenship certificate (this document is not issued yet by the Kosovan authorities, hence not required at the present).

A photo and fingerprints will be taken at the MCCR office. The returnee will be required to submit any expired ID card. Upon submission of the documents mentioned above, the applicant will receive a receipt. The Kosovo ID is issued without any fees and should be received by the applicant within a period of 1 to 2 weeks.

In order to avoid a long waiting period and queuing in front of administration offices, recently many municipalities have opened additional municipal district offices for issuing ID's and passport.

Furthermore, a fast track procedure has been introduced for issuing the ID card within 2-3 days, for which applicant should pay 50 EURO.

However, many Roma in Kosovo remain without civil status registration and/or personal identity. The problem for Roma lies in the documentary requirements of the authorities. Producing the required documentation is a challenge for many applicants. Many Kosovo Roma either never possessed documentation or no longer possess it due to the loss or destruction of their documents. In addition, many of the official records are not available in Kosovo following the removal of civil status registry books to Serbia, or damage to or destruction of the registry books as a result of the 1999 conflict¹⁰.

1.1.3.2. Regular Passport

As of July 21, 2008, the Ministry of Internal Affairs of the Republic of Kosovo has started to issue Kosovan passports/travel documents. In this context, UNMIK travel documents

¹⁰ United Nations High Commissioner for Refugees (UNHCR), 9 November 2009, HCR/EG/09/01, <http://www.unhcr.org/refworld/docid/4af842462.html>, page 14, Accessed in November, 2009

are no longer being issued, though they are valid until the expiring date. Below you can find information on the application procedure and needed documents¹¹.

For the people less than 16 years old (children) – Form R-14 and P:

A child has to be accompanied by both parents at the MCCR office or municipal district offices. The following documents should be presented:

- 2 photocopies of birth certificate;
- 2 photocopies of Citizenship certificate (this document is not issued yet by the Kosovan authorities, hence not required at the present);
- Proves for parents identity (ID card, passport or driving licence)
- If one of the parents is deceased, children can be accompanied by only one parent;
- Court decision for child custody, if parents are separated:
- Child under custody other than parents must be accompanied by the caregiver:
- Original and stamped authorization by notary or other respective Kosovo authorities, if one of the parents is not present:
- 2 photocopies of residence certificate;
- Proof of payment of administration fees -20 EUR for children above 3 years; 15 EUR for children less than 3 years.
- MCCR officer will issue a receipt to the applicant and give instructions when the passport will be ready.

For the people older than 16 years – Form P:

Applicant must present at the MCCR office or municipal district office, with the following documentation:

- ID card;
- 2 photocopies of birth certificate;

¹¹ http://www.mpb-ks.org/repository/docs/proceduarat_aplikimit_per_pasaport.pdf, accessed in November 2009

- 2 photocopies of residence certificate;
- Certificate confirming that he/she is not under investigation, issued by the competent court; and
- Proof of payment of administration fees – if person is older than 18 years she/he should pay 25 EUR, applicant less than 18 years should pay 20 EUR
- MCCR officer will issue a receipt to the applicant and give instructions when the passport will be ready.

The entire process from the moment of application until the issuance of passport should last 7 to 10 days maximum. However in practice, due to the lack of human, technological and infrastructural capacities, the entire procedure may last 3 to 4 weeks. Moreover, there is a fast track procedure for passport issuing within 2-3 days, for which applicant must pay 100 EUR.

The validity timeframe will be: 10 years for citizens above 18 years of age, 5 years for citizens from 3 to 18 years of age, and 3 years for citizens who have not reached 3 years of age.

1.1.4 Price of necessary documents

Please see the above sections.

1.2 Travel to country of origin

Kosovo territory can be accessed by land and by air. There are 3 official border crossing points between Republic of Kosovo and Republic of Albania; 2 traffic border crossing points and 3 temporary border crossing points for foot-passengers with Republic of Macedonia; 1 border crossing with Montenegro; and 5 crossings with Republic of Serbia. Kosovo has only one international airport based in Prishtinë/Pristina. In addition, Kosovo

can be accessed by train through 2 borders crossing points (1 from Serbia and 1 from Macedonia)¹².

1.2.1 By air

Kosovo has one international airport – Prishtinë/Pristina International Airport (PIA) – which is located 18 km southwest of Kosovo’s capital Prishtinë/Pristina and 3 km south of Sllatinë/Slatina village. The farthest cities are no more than 80 km from the airport. The approximate time of the journey from the airport to Prishtinë/Pristina city is 30 minutes. The airport taxis are available from 05:00 hrs in the morning till 22:30 and even later. The charge is approximately 25 EUR. From cities throughout Kosovo, taxis are available 24 hours and the charge is in accordance to its meter system. Airport buses are available every two hours starting from 05:00 hrs up to 23:00 hrs. The buses depart from the capital city (from the Airport building), and from the Grand Hotel (centre of Prishtinë/Pristina) and vice versa. PIA is opened 24 hours.

There are direct flights to Prishtinë/Pristina from many Western Europe countries i.e. Vienna, London, Stuttgart, Zurich, Ljubljana, Budapest, Berlin, and Copenhagen. Direct flights are also available from Tirana and Istanbul. In addition, there are direct charter flights organized from other cities in Western Europe i.e. Düsseldorf, Munich, Frankfurt, and Geneva. There are good connecting flights between all Western Europe countries in Kosovo via Vienna, Ljubljana, Zurich and Budapest.

Travel time from most of the Western Europe cities to Prishtinë/Pristina is between 2 to 3.5 hours and one way tickets cost between 200 to 250 EUR from Germany, Austria France and UK, whereas from Switzerland, Denmark and Sweden a one way ticket would cost between 325 and 470 EUR .

Economy class passengers are entitled to 20 kg of luggage without payment, and business class passengers are entitled to 30 kg. Nevertheless, maximum weight per luggage can

¹² Ministry of Interior Affairs of Kosovo, Brochure of the Department for Border, Asylum and Refugees, www.mpb-ks.org/?page=2,18, accessed in November 2009

not be more than 32 kg. Any luggage that exceeds the weight limit is subject to charges set by individual airline companies. Transportation of any non-permitted objects in your cabin luggage is prohibited. Pictographs of dangerous objects are displayed at every check-in counter. Maximum weight per hand luggage is 8 kg¹³.

Prishtinë/Priština International Airport contact information:

Airport Information Desk Arrival: + 381 38 5958 159,

Airport Information Desk Departure: + 381 38 5958 169,

Airport Information: + 381 38 5958 147

For more information please visit PIA website at: www.airportpristina.com

The following is a list of the most frequently used travel agencies in Kosovo:

- **Kosova Airlines**

Reservation and information in town: +381 38 24 91 85/84

Lost and found luggage: 00381 38 5958 174/175

Address: Vellusha e poshtme 17

City: Prishtinë/Pristina

ZIP code: 10000

URL: <http://www.kosovaairlines.com>

Flight destinations: **PRISHTINË/PRISTINA; DÜSSELDORF; STUTTGART; KÖLN; FRANKFURT; ZÜRICH; GENEVA**

- **Austrian Airlines**

Reservation and information: +381 38 24 24 24 /548 435

Email: info@mcm.travel

Lost and found luggage: +381 38 5958 175/179

Address: St .Lidhja e Pejes E-12

¹³ <http://www.airportpristina.com/english/travel/ps.htm>, accessed in November, 2009

City: Prishtinë/Pristina

ZIP code: SI-4210

URL: <http://www.mcm.travel>

Flight destinations: **VIENNA**

- **British Airways**

Reservation and information: +381 38 54 86 61

Lost and found luggage: +381 38 5958 174/175

Address: PIA Departure Terminal

City: Prishtinë/Pristina

ZIP code: 10.000

URL: <http://www.britishairways.com>

Flight destinations: **LONDON**

- **Malev**

Reservation and information +381 38 535 535 / 502 481

Email: info@itclub.cc

Lost and found luggage: +381 38 5958 175/179

Address: Bill Clinton Boulevard, E-12

City: Prishtinë/Pristina

ZIP code: 10000

URL: <http://www.itclub.cc>

Flight destinations: **BUDAPEST**

- **Adria**

Reservation and information 00381 38 246 764

Lost and found luggage: 00381 38 5958 174/175

Address: Qamil Hoxha 12

City: Prishtinë/Pristina

ZIP code: 10000

URL: <http://www.adria-airways.com>

Flight destinations: **LJUBLJANA**

- **Swiss International airlines**

Reservation and information: +381 38 24 34 46

Lost and found luggage: +381 38 5958 174/175

Address: Grand Hotel

City: Prishtinë/Pristina

ZIP code: 10000

URL: <http://www.swiss.com>

Flight destinations: **ZÜRICH, GENEVA**

1.2.2 By land

The following are the major border crossing points that include motor vehicle roads and in two occasions railroads¹⁴.

- Vermica border crossing point – Southwest Kosovo neighbouring with Albania. It is located just 18 kilometres outside of Prizren city and it is only accessible by road. The crossing point is open 24 hours for travellers and goods, whereas customs clearance of goods can be done between 08:00 and 20:00. Vermica border crossing point manages two other smaller crossing points – Qafa e Prushit and Qafa e Morines - that are located 10 kilometres west of Gjakova city neighbouring with Albania. The crossing points are open for travellers 24 hours and for goods from 08:00 to 20:00.

¹⁴ For more information see Kosovo Customs website at: <http://www.dogana-ks.org/?cid=2,92> accessed in November, 2009

- Merdare border crossing point – Northeast Kosovo neighbouring with Serbia. It is on the 37th kilometre of the highway between Prishtinë/Pristina and Nis (Serbia). It is open 24 hours for travellers and customs clearance.
- Muqibaba and Mutivoda border crossing points - East Kosovo neighbouring with Serbia. It is located 20 kilometres from Gjilan city, and it is open from 08:00h to 20:00, only for passengers not for goods.
- Hani i Elezit border crossing point – Southern Kosovo neighbouring with Macedonia. The distance between this border crossing point and Prishtinë/Pristina is 70 kilometres. It is open 24 hours and is the most frequented crossing point in terms of passengers and goods entering and leaving Kosovo.
- Gllloboçica border crossing point – Southern Kosovo neighbouring with Macedonia. It is 68 kilometres from Prishtinë/Pristina. This crossing point is open 24 hours and is only for passengers, not for import and exports of goods.
- Kulla border crossing point – West of Kosovo neighbouring with Montenegro. It is open 24 hours. It is located close to Peja/Pec city at a high altitude level (1250 metres). Therefore, during the winter season, the road is often closed due to weather conditions.
- Zubin Potok and Leposaviq border crossing points – Northwest and North Kosovo neighbouring with Serbia. Due to the political and security reasons, currently these two border crossing points are under the administration of EULEX police and customs officers.

1.2.3 By sea

Not relevant.

1.3 Entry procedure

1.3.1 By air

Returnees who plan to return to Kosovo by air will land in Prishtinë/Pristina International Airport (PIA). They will pass through the regular entry procedure which consists of

passport control by the border police, followed by customs control of goods/luggage. The entire procedure lasts 5 to 10 minutes, depending on the passenger flow. Passengers travelling to Kosovo should hold a valid passport or an emergency travel document (laissez-passer) issued by the host country authorities.

Please see section 1.1.1 for information on persons who do not have valid travel documents.

1.3.2 By land

The entry procedure by land is similar to the one by air. It is advised for returnees who are planning to enter Kosovo through Serbia to have a valid Serbian passport, as Serbian customs and border police do not allow entrance into Serbia with an UNMIK or Kosovo passport.

1.3.3 By sea

Not relevant.

1.4 Impact of former acts and statuses upon entry

In general terms, if a person returning to Kosovo was involved in criminal acts prior to leaving Kosovo and is subject to criminal proceedings, he/she will be treated in accordance to the legislation of Kosovo.

Nevertheless, UNHCR has recently published a document called “UNHCR’s Eligibility Guidelines for Assessing the International Protection Needs of Individuals from Kosovo¹⁵”, which includes the list of groups that face a particular risk of persecution or serious harm in Kosovo, including through cumulative discriminatory acts.

¹⁵United Nations High Commissioner for Refugees (UNHCR), 9 November 2009, HCR/EG/09/01, <http://www.unhcr.org/refworld/docid/4af842462.html> , pages 17-23, accessed in November, 2009

Main Groups at Risk

- Serbs and Albanians in minority situations, and Roma
- Persons in ethnically mixed-marriages and persons of mixed ethnicity
- Persons perceived to have been associated with the Serbian authorities after 1990
- Victims of trafficking
- Victims of domestic violence
- Persons whose claims are based on sexual orientation

1.4.1 Impacts of former refugee or subsidiary protection status

There is no evidence that former refugee or subsidiary protection status would have legal or any other consequences on returnees.

1.4.2 Impacts of former unsuccessful asylum claim

There is no information available concerning any eventual problem caused by a former unsuccessful asylum claim.

1.4.3 Impacts of former illegal exit from country of origin

As confirmed by border police, returnees who left Republic of Kosovo illegally and now are returning to Kosovo under the normal entry procedures are not subject to any legal proceedings¹⁶.

1.4.4 Impacts of crime committed outside the country of origin

In case of involvement in any criminal activity outside Kosovo, the country where the criminal activity has taken place is the processing authority. If such a person has been charged with any imprisonment or other sentence, there are no legal consequences implemented in the Republic of Kosovo against such a person.

¹⁶Information received from interviewing duty police officer at the office of deportation in Prishtinë/Pristina International Airport, November 2009

1.5 Customs regulation

1.5.1 Goods

Regarding goods, customs exemptions shall apply for the list of goods mentioned below, which are subject to the following customs value and quantitative limits per traveller, per day¹⁷. Goods of a non-commercial nature, including presents and souvenirs, contained in traveller's personal luggage and not exceeding a customs value of 175 EUR are permitted.

The following allowances:

- Tobacco products:
 - 200 cigarettes; or
 - 100 cigarillos; or
 - 50 cigars; or
 - 250 grams of tobacco; or
 - A proportional assortment of these different products.
- Alcoholic beverages;
 - 1 litre of spirits or strong liqueurs over 22% volume; or
 - 2 litres of fortified wine, sparkling wine or other liqueurs; and
 - 2 litres of still table wine.
- perfumes and toilet water;
 - 50 gram of perfume; and
 - 250 ml of toilet water.

1.5.2 Money

Every person entering or leaving Kosovo and carrying money of a value in excess of 10,000 EUR shall declare the amount of money and the source of such money in writing, in a specific form, and if so requested by the officer, shall present the money.

¹⁷Kosovo Customs, <http://www.dogana-ks.org/?cid=1,51> , accessed in November 2009

Anyone sending money outside Kosovo, or receiving money in Kosovo from outside, via post or commercial courier, in excess of 10,000 EUR shall declare the amount of money and the source, in writing in a specified form.

1.5.3 Change of residence

Personal property imported by a natural person having a place of residence outside Kosovo and transferring his place of residence to Kosovo shall be admitted free of import duty¹⁸.

Exemption under this section shall be limited to personal property which:

1. Has been in the possession of and, in the case of non-consumable goods, used by the person concerned at his former place of residence for a minimum of six months before the date on which he ceases to have his place of residence outside of Kosovo except where the Director General may in special cases otherwise permit; and
2. Is intended to be used for the same purpose at his new place of residence.

Exemption shall be granted only to a natural person:

- Whose place of residence has been outside of Kosovo for a continuous period of at least 12 months; or
- Where the Director General is satisfied that it was the clear intention of the person concerned to reside outside of Kosovo for a continuous period of at least 12 months, but that intention could not be fulfilled.

No exemption shall be granted for:

- Alcoholic products;
- Tobacco or tobacco products;
- Commercial means of transport; and
- Articles for use in the exercise of a trade or profession, other than portable instruments of the applied or liberal arts.

¹⁸ Kosovo Customs, <http://www.dogana-ks.org/?cid=2,53> accessed in November 2009

1.6 Access to return area

1.6.1 Limitations on internal travel

In general terms, there are no limitations on internal travel. However, the movement of persons within Kosovo is hampered by the political situation, and by real and perceived security threats, in particular between the north and the rest of Kosovo. It can be dangerous for a Kosovo Albanian to travel to North Kosovo either by walking or by car with Kosovo registration plates. Likewise, despite significant improvement in regard to the freedom of movement, certain minorities, mainly Serbs and Roma face perceived and real difficulties in moving freely throughout Kosovo.

1.6.1.1 Administrative restrictions

There are no administrative restrictions with respect to travelling inside Kosovo.

1.6.1.2 Practical obstacles

In general, there are no practical obstacles. However, during the winter season, roads may be blocked, especially in rural areas. In addition, many roads are currently being repaired, resulting in delays and traffic jams.

1.6.2 Territories impossible or dangerous to approach

After the end of the war in Kosovo in June 1999, KFOR and Kosovo Protection Corps (KPC) performed tremendous efforts in removing mines and other unexploded ordnance. However, there are areas which are still dangerous to approach due to the residual mines and other unexploded ordnance. According to KPC, many of the mined land fields are not identified because the Serbian army has refused to give accurate and complete information regarding the location of these mine fields. In this context, areas that continue to be unsafe include villages by the border with Albania as well as the border strip in the west and south of Kosovo.

1.6.3 Means of internal travel

The vast majority of the Kosovo population uses private cars for internal travel. However, public transportation by bus is functioning optimally at both levels – inter-urban and within the cities. Regarding the inter-urban bus transportation, one way tickets may cost a maximum of 5 EUR for the most distant cities, down to 1 EUR. There are rather good Bus connections between the Prishtinë/Pristina and almost all other cities of Kosovo. One way tickets for public transportation by bus within the same city can cost from 0.30 to 0.50 EUR.

Bus station in Prishtinë/Pristina contact number: ++38138550011

Railway transportation of passengers and prices of one way ticket are presented below¹⁹:

Price (Euro)	Prishtinë Pristina	F.Kosovë/ Kosovo P.	Bardh Bard	Drenas/ Glogovac	Klinë/ Klina
Pejë/Pec	3.00	2.80	2.50	2.20	0.80
Klinë/Klina	2.20	1.80	1.80	1.20	
Drenas/Glogovac	1.00	0.80	0.50		
Bardh/Bard	0.50	0.30			
Fushë Kosovë/Kosovo Polje	0.30				

Price (Euro)	Prishtinë Pristina	F. Kosovë Kosovo P.	Lypjan Ljipljane	Ferizaj Urosevac	Kaçanik Kacanik	Hani i Elezit G.Jankovic
Shkup/Skopje	4.00	3.70	3.30	2.70	2.00	1.50
Hani i Elezit/ G. Jankovic	2.50	2.20	1.80	1.20	0.50	

¹⁹ Kosovo Railways, <http://www.kosovorailway.com/indexx.php?mod=top&cat=25&lang=1> accessed in November, 2009

Kaçanik	2.20	1.80	1.50	0.50
Kacanik				
Ferizaj	1.50	1.20	0.80	
Urosevac				
Lypjan	0.50	0.50		
Ljipljane				
Fushë Kosovë	0.30			
Kosovo P.				

You can find more information on Kosovo Railways on the respective web address:

www.kosovorailway.com, or by telephone ++38138536619 or ++38138536355

Furthermore, since 1999 there is humanitarian bus transportation which is a specific service provided by the Kosovo government to the Kosovo Serb community. This service has been transferred from UNMIK to local institutions, including its funding, management, safety and security, and even after February 17, 2008, this service has proven to be a success in terms of numbers of users, quality of the service, passenger satisfaction levels, and access to basic rights. It has also proven to be a success as to the management by the relevant Kosovo authorities. The fourth OSCE report on Humanitarian Bus Transportation reflects the findings of a field-based survey regarding the concerns, needs and experiences of the minority communities relying on this service²⁰.

However, the transport infrastructure (roads and railways) in Kosovo is limited in scope and condition. It is not well connected with regional networks and maintenance

²⁰ OSCE mission in Kosovo, Monitoring Department, Humanitarian Minority Bus Transportation in Kosovo after Transfer to Kosovo Institutions, June 2008, report number 4
www.osce.org/documents/mik/2008/07/32250_en.pdf, accessed in November 2009.

expenditures have been inadequate, even though some upgrading of the road infrastructure has started in the Prishtinë /Pristina area and the regional connections to Shkup/Skopje and Pejë/Pec. Road density stands at only 3.3 km per 1,000 inhabitants and rail connections with Serbia have been difficult after Kosovo's declaration of independence.

CHAPTER II

2. Physical security (in return area)

KFOR, the NATO-led international military presence in Kosovo, continues to be responsible for overall security. In recognition of the evolving situation in Kosovo, KFOR has initiated a gradual reduction of its presence. The overall security situation in Kosovo is relatively calm but continues to be unpredictable and oftentimes fragile. The Kosovo authorities do not exercise full control throughout the territory of Kosovo, in particular in the north. Parallel structures continue to operate and parallel municipal by-elections have been recently held²¹.

Although there have been notable improvements in the capacity of the local police force and security apparatus, this is not necessarily reflected in the confidence that ethnic minorities may have in the ability and/or willingness of the law enforcement system to protect them. The number of security incidents has declined, and improvements are observed with regard to freedom of movement.

However, the European Commission reports limited progress in the area of free movement of persons. Alignment with European standards remains at an early stage. The free movement of persons throughout Kosovo is not fully ensured²².

²¹ Commission of European Communities, Communication from the Commission to the European Parliament and the Council, Enlargement Strategy and Main Challenges 2009-2010, Brussels, 14.10.2009, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0533:FIN:EN:PDF>, page 60, accessed in November, 2009

²² Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf, page 28, accessed in November, 2009

Furthermore, according to UNHCR²³ freedom of movement continues to be an issue affecting the Kosovo Serb and Kosovo Roma communities as well as Kosovo Albanians living in the North. Despite efforts by KPS and NATO's Kosovo Force (KFOR) to increase security measures in areas or enclaves inhabited by minority communities, members of such communities are said to be reluctant to move beyond these enclaves due to security related fears. Kosovo Albanians who live in Kosovo Serb majority areas in the North have also been targeted. A majority of Kosovo Albanians in the North are reluctant to move outside their locations without police protection.

In addition, high unemployment, a lack of economic development and widespread poverty and corruption is causing increased mistrust in Kosovo's key governmental institutions, and may affect the security situation in Kosovo.

In February 2008, the General Affairs and External Relations Council agreed to a Joint Action 4 to establish a rule of law mission, known as "EULEX", in Kosovo. The central aim of the European Union Rule of Law Mission in Kosovo (EULEX) is to assist and support the Kosovan authorities in the 'rule of law' -area, specifically in the police, judiciary and customs areas. It is a technical mission which will monitor, mentor and advise whilst retaining a number of limited executive powers²⁴. In December 2008, EULEX was deployed throughout the territory of Kosovo, assuming responsibilities in the areas of police, customs and the judiciary. The mission reached full operational capacity in April 2009.

²³ United Nations High Commissioner for Refugees (UNHCR), 9 November 2009, HCR/EG/09/01, <http://www.unhcr.org/refworld/docid/4af842462.html>, pages 11-12, accessed in November, 2009

²⁴ European Rule of Law Mission in Kosovo (EULEX), <http://www.eulex-kosovo.eu/?id=4>, accessed in November 2009

Moreover, on 15th of November 2009, municipal elections were organised successfully with no major incidents. Three new municipalities (Graçanicë/Gračanica, Klllokot/Vrbovc, Ranillug/Raniluk) where Serbian population is a majority, were established.

2.1 On-going armed conflicts

There are no ongoing armed conflicts in Kosovo. Nevertheless, due to the interethnic tension and following the declaration of independence, the security situation became more fragile. In February, two border posts in Northern Kosovo were destroyed, and the storming of the court house in Mitrovicë/Mitrovica in March 2008 resulted in the death of an UNMIK policeman and several serious injuries to other persons.

2.2 Regions with high security risk

Again, due to the ethnic tension, three municipalities north of the Ibar/Ibër River (Zubin Potok, Zveçan/Zvecan, and Leposaviq/Leposavic) and the northern part of the city of Mitrovicë/ Mitrovica, remain regions with the potential high security risk.

2.3 Crime

Although the overall security situation has improved notably, Kosovo's capacities to tackle organized crime, corruption, money laundry, illicit drugs and trafficking effectively remain very limited. Kosovo lacks adequate legislative provisions and operational structures to cope with these illegal activities. The wide possession of weapons by the civilian population remains a serious concern. There is no strategy for the collection of such weapons. Furthermore, cooperation between law enforcement agencies is still very weak and the flow of information is not integrated. Kosovo does not have a crime reduction strategy and lacks adequate resources and a criminal intelligence system. The lack of a witness protection law and programme still inhibits efforts in this area. EULEX plays a major role by investigating serious criminal offences and providing witness security and protection.

In overall, Kosovo remains a source and a place of transit for organised crime activities²⁵.

2.3.1 Regions with an extremely high level of crime

The above mentioned crime activities are more or less spread all over Kosovo with no specific regional division. However, due to the inability of Kosovan institutions to extend their authority - in particular rule of law and justice mechanism -, and the presence of parallel structures supported by Serbian Government, North Kosovo and the border/line between Kosovo and Serbia have the highest level of organized crime, including economic crime.

2.3.2 Risk of becoming a victim of human trafficking

Despite Kosovo's progress since 1999 in strengthening the rule of law, security and institutional reform, trafficking in human beings remains a form of organized crime that continues to pose great danger to society and the state of Republic of Kosovo. Human trafficking for sexual and other forms of exploitation continues to be a serious problem in Kosovo, affecting women and children in particular. According to the US Department of State, "Kosovo is a source, transit, and destination country for women and children trafficked across national borders for the purpose of commercial sexual exploitation. Kosovan women and children are also trafficked within Kosovo for the same purpose. NGOs reported that child trafficking, particularly from Roma communities, for the purpose of forced begging, was an increasing problem"²⁶.

Most victims are internally trafficked (about 60%). Victims also originate from Moldova (20%) and Western Balkan countries (20%). Recently, a growing number of Kosovan

²⁵ Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, available at: http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf, page 47 accessed in November, 2009

²⁶ US Department of State, *Trafficking in Persons Report 2009 - Kosovo*, 16 June 2009, available at: <http://www.unhcr.org/refworld/docid/4a4214ad28.html> , accessed in November, 2009

Albanian minors are being recruited from among the most vulnerable and disadvantaged families.

Trafficked victims usually move illegally between the borders but can be trafficked within the country as well. The crime of trafficking in human beings is divided into different categories, depending on the purpose for which the victims are exploited. Depending on the type of trafficking, it has been concluded that vulnerable groups in trafficking are children and adults that are poor and have a low education level. Victims, both children and adults, are forced to migrate as a result of high levels of poverty in their home countries, attracted by promises of a better life and legal employment elsewhere. Victims are usually offered jobs as a baby-sitter, cleaner, waitress or caretakers for old people, which normally does not require a high level of education and language skills. Although, the majority of recently identified victims in Kosovo that have been trafficked within the country have been bought and sold several times for the purpose of sexual abuse, and 100% of them are women and minor girls²⁷.

Victims are recruited through personal contacts (stranger, friend, partner, relative, and pimp), newspapers add, or sold by family members. The following are stories of some of the victims of trafficking in Kosovo²⁸:

“A friend introduced me to a woman in Kiev. She offered me a job abroad and said she would prepare a passport for me, for free. I asked if the job was sex related and she promised that it was not”.

24 year old Ukranian.

²⁷ IOM Kosovo, Counter-Trafficking unit, www.iomkosovo.org/OtherPublications.html, accessed in November, 2009

²⁸ Ibid, page 6.

“A woman I knew from my town was organizing all those trips. I asked her to help me and she promised she would. She swore on her children’s life I would work as a cleaner or a waitress but not as a prostitute. She helped me to get a passport. She introduced me to a man and said he would take me to Italy”.

21 year old Moldovan.

In addition, the trafficking experience means the beginning of a cycle of violence and terror such as rape, beating, torture, starvation, physical exhaustion, isolation, control, and deception, leading to severe psychological consequences, i.e. acute stress reaction, Post Traumatic Stress Disorder (PTSD), depression, adjustment disorder, etc²⁹.

Out of 53 Kosovan victims of trafficking, the majority were Kosovo Albanian (47), 12 were from Gjilan/Gnjilane region, 10 from Prishtinë/Pristina region and the rest came from other regions of Kosovo³⁰.

Given the above facts, Kosovo authorities have adopted legislation on Trafficking with Human Beings (THB) and organized crime, which are generally in line with the international standards. Moreover, the Ministry of Internal Affairs of Kosovo has developed a strategy for combating trafficking in human beings³¹.

However, there are serious doubts in terms of local capacities being able to implement legislations and strategies in practice. The monitoring of trafficking cases by the Organization for Security and Co-operation in Europe (OSCE) in 2006 and 2007 reveals a concerning lack of preparedness by the Kosovo authorities to handle these cases. In particular, OSCE has noted a consistent failure of the relevant authorities to place the human rights of trafficked persons “at the centre of all efforts to prevent and combat

²⁹ Ibid, page 14.

³⁰ Ibid, page 10.

³¹ Ministry of Internal Affairs, Government of Republic of Kosovo, National Strategy and Action Plan Against Trafficking in Human Beings 2008-2011, July 2008, http://www.mpb-ks.org/repository/docs/strategjia_anglisht.pdf, accessed in November, 2009

trafficking and to protect, assist and provide redress to victims.” In summary, OSCE observed that authorities involved in the investigation and prosecution of alleged traffickers fail to adopt a victim-centred approach, or to ensure that perpetrators face justice. Therefore, OSCE remains deeply concerned by the continuing failure of the Kosovo judicial system to adequately respond to the worrying phenomenon of trafficking in human beings³².

In overall, Kosovo has achieved limited progress in addressing human trafficking³³:the number of identified trafficking victims’ remains low; child trafficking for the purpose of forced begging is an increasing problem; trafficking related corruption needs to be tackled; Investigation and prosecution of trafficking crimes by Kosovan authorities remain a concern; the six shelter facilities are inadequate and do not provide a sufficient level of security; Delays in issuing protection orders remain an issue of concern; children’s access to justice is yet to be ensured; the lack of coordination between local and central structures hampers the implementation of the Juvenile Justice Code.

The following is the address of the International Organization for Migration, the lead agency in human trafficking issues:

IOM Mission in Kosovo. Counter-Trafficking Prevention and Capacity Building Programme in Kosovo.

Address; Ismail Qemajli No 18,

³² Organisation for Security and Co-operation In Europe (OSCE), The Department for Human Rights, Decentralization and Communities, Legal System Monitoring Section, “ A Legal Analysis of Trafficking in Persons Cases in Kosovo, October 2007, www.osce.org/documents/mik/2007/10/27620_en.pdf, accessed in November 2009

³³ Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, available at: http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf, page 47 accessed in November, 2009, and United Nations High Commissioner for Refugees (UNHCR), 9 November 2009, HCR/EG/09/01, <http://www.unhcr.org/refworld/docid/4af842462.html> , page 19, accessed in November, 2009

++381(0)38 249 058

www.iomkosovo.org

2.3.3 Risk of becoming a victim of forced prostitution

As mentioned in the previous section, Kosovo has become a major destination country for women and girls trafficked into forced prostitution since the deployment, in July 1999, of an international peacekeeping force (KFOR) and the establishment of a UN civilian administration (UNMIK). Women trafficked into Kosovo from outside, are predominantly from Moldova, Bulgaria and Ukraine. Increasing numbers of Kosovo Albanians – the majority of them believed to be minors – are being internally trafficked, while NGOs report that some Kosovo Albanian women and girls are now being trafficked into EU countries.

As a response to this situation, an anti trafficking unit established in 2000 was followed by UNMIK regulations on trafficking in 2001. Nowadays, the responsibilities are passed to the Kosovo Police Service (KPS) Anti Trafficking Unit which is operating in close cooperation with IOM (International Organization for Migration) and local NGOs as a focal point for support and assistance. The most recent police updates show decreased figures of trafficking while on the other side the prostitution is increasing. This is mainly due to the large international presence in Kosovo, and the fact that Kosovo faces great economic and social challenges, being one of the economically poorest countries in Europe, with an average annual per capita income of \$1,726 and a very high unemployment rate (45%), on the other hand.

IOM Mission in Kosovo. Counter-Trafficking Prevention and Capacity Building Programme in Kosovo.

Address; Ismail Qemajli No 18,

++381(0)38 249 058

www.iomkosovo.org

2.3.4 Effectiveness of protection

2.3.4.1 Police forces

Regarding the policing, it has been noted that Kosovo has made partial progress³⁴. The basic legislative framework is in place. Kosovo Police has managed well its public order functions. The police continued in implementing its strategic plan 2008-2010. The police have also upgraded its communication infrastructure. Most police officers from the Kosovo Serb community south of Ibar river, who left the service following the declaration of independence, have returned to their stations. In September, Kosovo adopted the Law on Weapons. The law is in line with relevant EU legislation and includes adequate penalty provisions. In January 2009, the Ministry of Internal Affairs adopted a series of administrative instructions on small weapons³⁵.

However, the Kosovan police is facing many difficulties which can be summarized as follows:

- The wide possession of weapons by the civilian population remains a serious concern. There is no strategy for the collection of such weapons;
- The Law on Explosives needs to be updated and relevant implementing legislation adopted;
- Kosovo has no Laws on Forensics and on Autopsy;
- Poor cooperation between the police and the Prosecutor's Office;
- The police still lack capacity to develop strategic planning and fully implement an intelligence-led policing system;

³⁴ Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, available at: http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf, page 46 accessed in November, 2009

³⁵ More information on Kosovo police is available at www.kosovopolice.com

- The reorganization of the police force has not been completed yet and requires adequate preparation;
- Facilities for storing evidence are not fully protected. In April, a considerable amount of heroin was stolen from an evidence room;
- Police communication networks are still not fully integrated and secure;
- Communication channels with other law enforcement agencies are not operational yet;
- Reports sent by local police stations via intranet are not always secure;
- Crime statistics are not based on standard operating procedures for statistics and records;
- In northern Mitrovicë/Mitrovica, four police stations do not report directly to Pristina, which limits the effectiveness of fighting organized crime and conducting undercover operations in this area;

In overall, progress has been made in the field of policing, but high-level crime and strategic deficiencies remain serious concerns.

2.3.4.2 Judiciary

The legal system in Kosovo is a combination of legislation adopted by the Kosovo authorities, regulations and administrative directions of the United Nations Interim Administration in Kosovo (UNMIK), and Yugoslav laws in place before March 22, 1989.

The Ministry of Justice continues to reinforce its administrative capacity. A considerable number of important laws related to the judiciary has been adopted by the Kosovan authorities³⁶. Courts across Kosovo have been equipped with new computers, allowing the installation of the court management information system software and the

³⁶ Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, available at: http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf, page 10 accessed in November, 2009

registration in the system of all case data from the old registry books. The system is operational in most Kosovo courts. EULEX judges and prosecutors have been deployed.

The Ministry of Justice gained new responsibilities in the field of international cooperation. As of March, its department for legal affairs handles requests from other countries, such as extraditions, executing court sentences, transferring criminal records, etc. UNMIK remains responsible for international judicial cooperation with countries that have not recognized Kosovo, including for requests coming from Serbia.

In terms of prison system, the Kosovo correctional service under the Ministry of Justice is operational, with EULEX retaining certain competences. Security measures have been upgraded in the high-security facilities and technical equipment improved, including vehicles for prison escorts. The Ministry of Justice is taking steps to address complaints of misconduct in prisons and detention centres.

Children's rights are included in the Strategy on Human Rights 2009-2011. The Children's Rights Strategy and the related action plan were adopted in June by the inter-ministerial Committee for Children's Rights chaired by the Prime Minister.

Monitoring activities conducted by the international organizations suggests that in overall there are no systematic differences in punishments and trial outcomes between Kosovo Albanians and Kosovo non-Albanians, or among the non-Albanian communities³⁷.

However, the justice system remains weak, vulnerable to political interference and inefficient³⁸:

³⁷ Organisation for Security and Co-operation In Europe (OSCE), Monitoring Department, Legal System Monitoring Section, "Different Communities before the Kosovo Justice System" December, 2008, www.osce.org/documents/mik/2008/12/35302_en.pdf, accessed in November 2009

³⁸ Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, available at:

- Allegations of corruption and misconduct in the judiciary are not being adequately investigated;
- Judges and prosecutors from the Kosovo Serb community are reluctant in terms of their involvement in all levels of judiciary systems;
- There is no significant improvement in reducing the backlog of civil and criminal cases, including by the Supreme Court;
- Handling of criminal cases continues to be complicated by a number of issues, such as the disappearance of evidence and witnesses' statements, the displacement of people, the refusal of some Kosovan Police officers to cooperate and the intimidation of witnesses, judges and prosecutors;
- Rule of law in northern Kosovo is not guaranteed;
- Corruption remains prevalent in many areas in Kosovo and continues to be a very serious concern;
- Kosovo's cooperation with the international human rights bodies is limited since Kosovo is not a member of the UN nor of the Council of Europe. Consequently, Kosovo's citizens do not have the possibility to lodge a complaint with the *European Court of Human Rights* against Kosovo's authorities;
- There are still no adequate facilities for detention of mentally-ill criminal offenders and criminal offenders with diminished mental capacity. There is no separate space in the correctional facilities allocated to juvenile female detainees. Reintegration of juveniles after release is a matter of concern;
- Facilitating the transfer of Kosovo detainees from other countries needs to be improved. Kosovo needs to take steps to accommodate an anticipated increase in the number of returned prisoners;

- Most Kosovo Serb detainees are in the Mitrovicë/Mitrovica detention centre, which is not equipped for long-term detention. Support from Prishtinë/Pristina is limited;
- In overall, freedom of expression is not fully guaranteed;
- There is still no legal protection for children with disabilities. Only 10% of children with special needs attend compulsory education;
- Child trafficking and child labour remain a concern.

Overall, the judicial system remains weak at almost all levels.

3. Social security and reintegration

3.1 Regions with no reintegration and return opportunities

In general terms, all regions have reintegration and return opportunities. However, reintegration of repatriated persons is still limited³⁹. Moreover, due to interethnic tensions between the Albanian majority and the Serbian minority, there are regions where return and reintegration is difficult and practically non-existent. For example, currently, it would be very dangerous for an ethnic Albanian to return to North Mitrovicë/Mitrovica, while it would also be difficult for an ethnic Serb to return to the Gjakovë/Djakovica region. There has been little progress as regards reconciliation between communities. This is a major challenge for the authorities. The number of voluntary returns of refugees and internally displaced persons remains low. The Roma, Ashkali and Egyptian communities continue to face very difficult living conditions and frequent discrimination.⁴⁰ The Kosovo Government is supporting return for Serbian and other minorities. The Ministry for Communities and Returns has been operational since 2005 to deal with this issue.

Prior to each minority return, a comprehensive assessment on security and reintegration issues is conducted by relevant organisations such as NGOs who are working in the field of return. As noted in section 3.3.1, employment and income generation opportunities are limited throughout Kosovo making economic reintegration extremely difficult for any returnee. Moreover, massive movement of population from rural to urban areas

³⁹ Commission of European Communities, Communication from the Commission to the European Parliament and the Council, Enlargement Strategy and Main Challenges 2009-2010, Brussels, 14.10.2009, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0533:FIN:EN:PDF>, page 65, accessed in November, 2009

⁴⁰ Ibid, p 62

(especially in the Prishtinë/Pristina region) has resulted in many rural areas being sparsely populated, which also hampers economic reintegration.

3.2 Housing, accommodation

3.2.1 Property restitution and/or compensation

“All refugees and displaced persons have the right to have restored to them any housing, land and/or property of which they were arbitrarily or unlawfully deprived, or to be compensated for any housing, land and/or property that is factually impossible to restore as determined by an independent and impartial tribunal.”⁴¹

In Kosovo, the primary source of the rights of displaced persons and refugees to return and to housing and property restitution is UN Security Council Resolution 1244. Moreover, the authorities of Kosovo guarantee the right of all refugees and displaced persons from Kosovo “to return to their homes, and to recover their property and personal possessions” and state that “the competent institutions and organs in Kosovo shall take all measures necessary to facilitate the safe return of refugees and displaced persons to Kosovo, and shall cooperate fully with all efforts by the UNHCR and other international and non-governmental organizations concerning the return of refugees and displaced persons”⁴².

The Kosovo Property Agency (KPA) was established in March 2006 when UNMIK promulgated Regulation 2006/10 on the Resolution of Claims Relating to Private Immovable Property, Including Agricultural and Commercial Property⁴³. This Regulation,

⁴¹ The Pinheiro Principles, Section II, Principle 2, the right to housing and property restitution.

⁴² UNMIK Reg. 2001/9, 15 May 2001, preamble and section 3.4.

http://www.unmikonline.org/regulations/unmikgazette/02english/E2001regs/RE2001_09.pdf, accessed in April, 2009

⁴³ The 2005 Report of the UN Special Envoy on Standards (otherwise known as ‘the Kai Eide Report’) identified illegal occupation of agricultural and commercial property as one of the major factors hindering returns to Kosovo, and thus requiring urgent intervention. UNMIK responded to the findings of the Report in March 2006 by establishing the Kosovo Property Agency (KPA) under UNMIK Regulation 2006/10, as amended by UNMIK Regulation 2006/50.

amended by UNMIK Regulation 2006/50, prescribed the nature and scope of the mandate of KPA to resolve conflict related claims, and established its institutions and their respective responsibilities and functions.

KPA was conferred with jurisdiction to resolve claims relating to private immovable property, without the need for such claims to be referred to the courts with territorial and subject-matter jurisdiction over them⁴⁴. Section 3 of UNMIK regulation 2006/50 prescribed that KPA had jurisdiction to resolve the conflict-related claims involving circumstances directly related to or resulting from the armed conflict that occurred between February 27, 1998 and June 20, 1999:

1. Ownership claims with respect to private immovable property, including agricultural and commercial property; and
2. Claims involving property use rights in respect of immovable property, including agricultural and commercial property.

Moreover, KPA was also mandated to deal with the implementation of decisions of the Housing and Property Claims Commission (HPCC) which were pending enforcement in March 2006 and to take over the management of the Housing and Property Directorate's (HDP) administrative properties portfolio. In exercising this aspect of its mandate, KPA was vested with *"the rights, obligations, responsibilities and powers of the HPD"*. Further, HPD's physical assets were vested in KPA, and its personnel were redeployed to carry out similar duties within KPA.

⁴⁴ However, there is a right of appeal against a decision of the Commission to the Supreme Court of Kosovo, section 12 of UNMIK Regulation 2006/50.
http://www.unmikonline.org/regulations/unmikgazette/02english/E2006regs/RE2006_50.pdf, accessed in April 2009

KPA is composed of three main bodies, an Executive Secretariat, an autonomous quasi-judicial Kosovo Property Claims Commission (the “Commission”) and a Supervisory Board⁴⁵.

Executive Secretariat

The primary responsibilities of the Executive Secretariat include the collection and registration of claims and replies to claims and the processing of these claims prior to their presentation before the Kosovo Property Claims Commission (“the Commission”).

This includes the following activities:

- Notification of claims to occupants of claimed properties and interested parties;
- Verification of documents;
- Collection of evidence and conducting interviews with parties to the claim;
- Preparation of written submissions on claims; and
- Referral of claims to the Commission for adjudication.

Further, the Applicable Legislation mandates the KPA to ensure effective implementation of final decisions on claims. This is achieved through remedies such as placing property under KPA-administration repossession, seizure of unlawful structures, auction, compensation and lease agreements, all of which will facilitate and ensure the return of properties to the lawful property right holder.

Special efforts have been taken to ensure access to the claim process by vulnerable communities, such as Roma, Ashkali and Egyptians. In this sense, the KPA conducted in February 2007 an outreach campaign to inform displaced Roma, Ashkali and Egyptian persons about the claim process⁴⁶.

⁴⁵ The Kosovo Property Agency, Annual Report 2008,

<http://www.kpaonline.org/PDFs/01%20Annual%20Report%20eng.pdf>, accessed in November 2009

⁴⁶ Organization for Security and Co-operation in Europe (OSCE), Mission in Kosovo, Department of Human Rights, Decentralization and Communities, Eight years after Minority returns and housing and property

The Kosovo Property Claims Commission

The Commission is conferred with jurisdiction to adjudicate claims referred to it by the Executive Secretariat. It is composed of a panel of two international and one national member who were appointed by the Special Representative of the Secretary-General (SRSG) in May 2007. The official languages of the Commission are Albanian, English and Serbian but its working language is English with translations being provided as required.

The Supervisory Board

The Supervisory Board is mandated to supervise the work of the KPA and provide it with administrative oversight, overall direction and policy guidance. It is however expressly precluded from participating in the process by which the Kosovo Property Claims Commission (KPCC) adjudicates and reaches decisions on claims. The Board is composed of five members appointed by the SRSG, and two of these members are appointed on the nomination of the Prime Minister of Kosovo. Decisions taken by the Board are required to be made by consensus, but where consensus cannot be reached, decisions can be taken by simple majority.

Applicable domestic laws

The substantive laws which the Commission must apply in order to determine property rights are contained in the domestic property laws, primarily:

- Law on Basic Property Relations (Official Gazette of SFR Yugoslavia, No. 6/80);
- Law on Expropriation (Official Gazette of SAP Kosovo, No. 37/71);
- Law on Co-ownership of an Apartment (Official Gazette of the SAP Kosovo, No. 43/80, 22/87);

restitution in Kosovo, June 2007, http://www.osce.org/documents/mik/2007/07/25813_en.pdf, accessed in November 2009

- Law on Construction of Annexes to Buildings and the Conversion of Common Premises into Apartments (Official Gazette of the SAP Kosovo, No. 14/88);
- Law on the Transfer of Real Property (Official Gazette of SAP Kosovo, No. 45/81, 29/86, 26/88);
- Law on the Registration of Real Properties in Social Ownership (Official Gazette of SAP Kosovo, No. 37/71);
- Law on Construction of Facilities for Investment – Commercial purposes (Official Gazette of SAP Kosovo, No. 5/86);
- Law of Contract and Tort (Official Gazette of FRY, No. 31/93);
- Law on Forests (Official Gazette of SAP Kosovo, No. 46/86 and 10/87);
- Law on Housing Relations (Official Gazette of SAP Kosovo, No. 11/83, 29/86 and 42/86);
- Law on Land for Construction (Official Gazette of SAP Kosovo, No. 14/80 and 42/86); and
- Law on Measurement and Land Cadastre (Official Gazette of SAP Kosovo, No. 12/80).

Procedure⁴⁷

Collection of Claims

Pursuant to UNMIK Regulation 2006/10, as amended by Regulation 2006/50, KPA is exclusively mandated to collect claims which fall under its subject matter jurisdiction. Claims could be submitted to the Executive Secretariat by both natural and legal persons. KPA procedures require claimants primarily to submit claims in person. Where a natural person is unable to make a claim, the claim could be made by a member of his/her family household. It is also possible for a natural person to submit a claim through an authorized representative in possession of a valid and duly executed power of attorney. Legal

⁴⁷ The Kosovo Property Agency, Annual Report 2008, <http://www.kpaonline.org/PDFs/01%20Annual%20Report%20eng.pdf>, accessed in November 2009

persons were required under the regulation to submit claims through a lawyer who was a member of a bar association in Kosovo, the Republic of Serbia or the Republic of Montenegro.

Location of Claim Intake Offices

Claims are required to be filed by attending at any KPA office or mobile unit and filling out a claim form with the assistance of a KPA officer. KPA offices are opened in each of the five regions and mobile units serve minority enclaves and rural areas. In line with its authority to establish a procedure to facilitate the receipt of claims from refugees and IDPs residing outside Kosovo, the Executive Secretariat opened offices in Serbia, Montenegro and former Yugoslavian Republic of Macedonia. Unfortunately, KPA offices in Serbia have closed, and Danish Refugee Council and the Serbian Ministry of Kosovo and Metohija are filling in the gaps left by the closure through a legal aid programme funded by the European Agency for Reconstruction.

The Claim Form

An electronic claim form has been designed by the Executive Secretariat and claimants are invited to attend at any one of KPA's offices to fill in the claim form. The information could be provided to the claim intake officer in Albanian or Serbian. The claim form should be signed by both claimant and claim intake officer. Claimants are required to present their ID card or identity documents for inspection when submitting their claim. A copy of the claimant's identity documents are attached to the claim form for inclusion on the claim file. Claimants are also required to submit originals or certified copies of any documents to be relied on in support of the claim and which are within their possession or reasonable power of procurement. A copy of these documents is placed on the claim file and the originals are returned to the claimant.

Further steps of property restitution and/or compensation include:

- Notification and publication of claims;
- Investigation of claims;

- Access to property records and verification of documents;
- Drafting legal submissions on claims; and
- Implementation of decision.

Relevant information on property issues can be found in KPA's web site; <http://www.kpaonline.org/>, as well as on OSCE documents "How can I Protect my Property Rights Through the Institutions of Kosovo", and "You are Displaced, Your Rights are Not", available at;

http://www.osce.org/publications/mik/2007/11/27872_975_en.pdf , and

http://www.osce.org/publications/mik/2008/03/30236_1082_en.pdf

Currently over 900 properties are the subject of an eviction order. The implementation of evictions orders needs to be significantly improved. The implementation of the rental scheme, notably as regards rent collection by the Agency, remains an issue of concern. There is a need for more efficient cooperation with the police to ensure the enforcement of relevant legal provisions. Not all of the municipalities have digital immovable property rights registers linked with the Kosovo Land Registry. Some land registry books remain in Serbia. The legal status of informal settlement has not yet been resolved; ineffective communication between municipal and central authorities fuels this problem⁴⁸.

Property and housing rights remain one of the most complex issues and illustrate the shortcomings of the rule of law in Kosovo. No matter how many legal instruments have been approved by the Assembly of Kosovo and UNMIK in order to protect property rights, eight years after the establishment of UNMIK in Kosovo, there is still no adequate and effective protection of property rights. The public authorities continue to fail to guarantee

⁴⁸Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, available at: http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf, page 16, accessed in November, 2009

the implementation of these laws and there are widespread allegations of nepotism, corruption and links with organized crime⁴⁹.

A large number of displaced persons belonging to minorities are not able to repossess their property due to the security situation and other obstacles to return. Following the eviction of illegal occupants, the looting and re-occupation of properties are commonplace. In such cases, while the KPS could re-evict without further investigations and court procedures, it often re-initiates investigations and court proceedings instead, further delaying the eviction process. Properties owned by minorities are often the target of security incidents which may be ethnically motivated. Effective protection is lacking against looting, burglaries of vacant reconstructed properties, and vandalism following the eviction of illegal occupants. Problems relating to the restoration of property rights are particularly acute for the Kosovo Roma, Ashkali and Egyptians, many of whom do not hold formal title to property. Furthermore, in some instances Kosovo Police Service (KPS) officers have failed to evict re-occupants of properties and/or to file a criminal case against them. In other cases, KPS have failed to act on the spurious ground that the properties in question were commercial facilities⁵⁰.

In assessing the legal system's review of property rights cases, the Organization for Security and Co-operation in Europe Mission in Kosovo (OSCE) notes many problems⁵¹.

⁴⁹ Republic of Kosovo Ombudsperson Institution, Eight Annual Report 2007-229, addressed to the Assembly of Kosovo, 21 July 2008,

<http://www.ombudspersonkosovo.org/repository/docs/EIGHT%20ANNUAL%20REPORT%202007-2008.doc>, paragraph one, page 52, accessed in November 2009

⁵⁰ United Nations High Commissioner for Refugees (UNHCR), 9 November 2009, HCR/EG/09/01, <http://www.unhcr.org/refworld/docid/4af842462.html>, pages 16-17, accessed in November 2009

⁵¹ Organization for Security and Co-operation in Europe (OSCE), Mission in Kosovo, Department of Human Rights and Communities "Litigation Ownership of Immovable Property in Kosovo", March 2009, http://www.osce.org/documents/mik/2009/04/37137_en.pdf, accessed in November 2009

Overall, the institutional and legal framework has been strengthened but has led to limited progress in reality in the area of property rights, which is a key European Partnership priority.

3.2.2 Housing programmes by return areas

While a substantive amount of money has been dedicated since 2000 to the voluntary returns of displaced persons, assistance and support for people forcibly returned to Kosovo has been practically non-existent and mainly provided by UNHCR and IOM right after the forced returns of these people. Many forced returnees indeed do not have a house anymore, are unemployed, their children do not have a good level of native language enabling them to follow the curricula in schools in Kosovo and they generally have a difficult time reintegrating in a society they left long time ago⁵².

Recently, there have been some initiatives from the individual western countries (Denmark) to support returnees in either the building or rehabilitation of houses alongside with the other support, but there is currently no housing programme implemented by the Government of Kosovo, targeting voluntary or forced returnees from the western countries.

On the other hand, regarding the minority returns, there is a much more comprehensive initiative that is being carried out by the Government of Kosovo through the Ministry of Communities and Returns in conjunction with the relevant International Organizations (ECLO, OSCE, UNHCR, BPRM, UNDP, DRC, AGEF, etc) and international and local NGOs. In this respect, various housing programmes are being implemented mainly for the Serbian

⁵²Republic of Kosovo Ombudsperson Institution, Eight Annual Report 2007-2008, addressed to the Assembly of Kosovo, 21 July 2008, www.ombudspersonkosovo.org/repository/docs/EIGHT%20ANNUAL%20REPORT%202007-2008.doc, paragraph 3, page 51, accessed in November 2009

and Roma minorities, and are based in almost all regions which are inhabited by these minorities, including enclaves⁵³.

Despite all the efforts and the different strategies and programmes developed in the last years, returns in Kosovo have been scarce with regard to minority communities (Kosovo Serb, Roma, Ashkali, Egyptians and Kosovo Albanians in municipalities where they constitute a relative minority).

3.2.3 Opportunities of building a house

In order to build a house, an investor must possess land which must be private property and a construction permission issued by the respective municipality. Construction should comply with the regulations stipulated in the Law No. 2004/15 on Construction⁵⁴.

The basic requirements that are related with construction are⁵⁵:

- Mechanical sustainability and stability
- Protection from fire
- Hygiene, health and environment protection
- Isolation from temperature, noise, and protection from vibrations.

The person, who carries out construction, is obliged to⁵⁶:

- Build in accordance with construction permit, i.e. location license (approval), the conceptual project, respectively.
- Provide all materials, equipment, attested construction products, in accordance with the construction law.

⁵³ Republic of Kosovo, Ministry for Community and Return;

<http://www.mkk-ks.org/?page=1,19&archive=true>

⁵⁴ Assembly of Kosovo, Law No. 2004/15, On Construction, May 2004, www.ks-gov.net/mmph/document/english/ligje/ban_ndertimi/Law_on_construction.pdf, accessed in April 2009

⁵⁵ Republic of Kosova Government website;

<http://www.rks-gov.net/en-US/Qytetaret/PronaDheBanimi/Pages/Ndertimi.aspx>

⁵⁶ Ibid

- Not begin with works before the required projects and directives for the works are present at the construction site.
- Assign the chief construction engineer, who will be responsible for managing the construction or some parts of the construction.
- Inform the investor about the shortages encountered during the construction process.

The licensed persons, who meet the criteria defined by Law of Construction and Administrative Directive nr 44, Protocol 05/05, are entitled to carry out the projection and professional overseeing.

The main project for private house contains⁵⁷:

- Document from cadastral plan,
- Architectonic project,
- Construction project, and
- Installation project.

The required documentation for construction permit⁵⁸:

- Proof of ownership or the right of using the property through the required documentation based on article 36 of law on construction,
- Urban permit and any other required permit, in accordance with particular laws
- Detailed draft-plan that includes requirements related to water, electric power, sewage, and review of consequences to natural and human environment
- If there are no urban plans and the request is related to a private house, a statement is required from municipality about potential connection with technical infrastructure,

⁵⁷ Ibid

⁵⁸ Ibid

- Auditor’s report in writing with particular emphasis on the review of the sustainability, stability, noise, isolation from temperature, and measure for energy savings.

The request for construction permit⁵⁹:

- The investor should submit to the municipality the request in writing for the construction permit.
- The request for construction permit should be submitted with supporting documentation in accordance with article 37.2 of the law on construction.
- The technical documentation should be submitted in three copies.
- The request should be signed by the investor or by the person authorized by him in writing. If the investor is not the owner of the parcel, the owner of the parcel should present the permit for the requested construction.
- If more than one investor applies for a construction permit, municipality may request for the appointment of one representative, who would keep contacts with municipality; this person is responsible for complying with all the requirements of applicable laws.

The construction permit should be issued in writing not later than 30 days after the request for construction permit. The deadline may be extended to 30 additional days if the project faces great difficulties.

3.2.3.1 Conditions of obtaining land property

Depending on market availability, construction land in Kosovo can be freely purchased by its citizens. The buyer and seller of the construction land should go to the respective

⁵⁹ Ibid

municipality in order to legalize the transaction of the construction land, and submit the following documents⁶⁰:

- Two original transaction contracts verified in the municipal court;
- Copy of the ownership document issued by the cadastre department of the respective municipality (this should be provided by the seller);
- Both parties should bring proof that they have paid property tax on a regular basis (this document is issued at the respective municipality), and;
- Buyer should pay ownership transfer taxes. Amount of this tax depends from the size of land. However, minimum amount is 150 EUR.

3.2.3.2 Relevant approximate prices

The prices vary largely throughout Kosovo depending on location, available infrastructure and purpose of the construction land. The size of construction land is usually measured in m² or in are (100 m²). In Prishtinë/Pristina and other main cities of Kosovo, the price of construction land in suburb areas is in average of 8,000 – 10,000 EUR per are, while inside the city the price can be up to 30,000 - 50, 000 EUR per are. In rural areas, prices can vary between 500 and 2,000 EUR per are.

Prices of basic construction materials in EUR are as follows:

Cement:	5.00 EUR / 50 kg
Block brick:	0.45 EUR / piece
Construction wire:	0.90 EUR / 1 kg
Construction iron net 4:	
5, 6, 7, and 8:	1.00 EUR / 1 kg
Nails (5, 6, 7, 8, 10, 12, 20):	1.00 EUR / 1kg
Grit	20.00 EUR / m ³

⁶⁰ Prishtina Municipality, Directorate for Cadastre, <http://www.prishtina-komuna.org/?cid=1,29> , accessed in November 2009

3.2.3.3 Available credits, subsidies and other forms of help

There are no credits, subsidies or other forms of help provided by the Government of Kosovo. Yet, there are numerous commercial banks that give loans for building houses, with the interest rate of 10% to 12%:

Pro Credit Bank Prishtinë/Pristina

STR,,Skënderbeu,,pn

+381(0)38 240 248

www.procreditbank-kos.com

Raiffeisen Bank Prishtinë/Pristina

UÇK STR 51

+381(0)38 222 222

www.raiffeisen-kosovo.com

info@raiffeisen-kosovo.com

NLB Prishtinë/Pristina

Rexhep Luci STR nr 5

+381(0)38 234 111

info@nlbPrishtinë/Pristina -kos.com

TEB bank – <http://www.tebbank-kos.com>

In order to qualify for a construction loan from most of the abovementioned commercial banks, one should:

- be a citizen of Kosovo;
- receive salary through the respective bank; and
- have a monthly income no less than 120 EUR.

Loan conditions:

- maximum amount: 200,000 EUR;
- the loan term: 20 years;
- your participation: 25% - 30% (depending on the location); and
- grace period: 6 months.

Required Documentations:

- ID card;
- Employment contract; and
- Verification of any additional familial incomes (if any).

3.2.4 Opportunities to buy real estate

Opportunities to buy real estate largely depend on the general economic conditions of Kosovan citizens and the legality of constructions, rather than on the availability on the market. During the last ten years, Kosovo has witnessed an expansion of private construction of apartments, houses and commercial buildings. Moreover, many of these constructions are illegal i.e. built with no legal permits and without being in compliance with the principles of urban planning. In this context, potential buyers should pay particular attention to the legal issue of real estate prior to establishing and negotiating any contract.

Information on market availability of real estate can be found in the daily newspapers and with real estate agencies as follows:

www.kohaditore.com

www.ofertasukses.com

www.kosovarealestate.net

realestate@kosova-yp.com

++ 377 44 363 664

++ 386 49 363 664

www.ecoimpex-90.com

Str. Fehmi Agani 9/1

Prishtinë/Pristina 10000

Kosovo

Phone: +381 (0)38 222 757

Fax: +381 (0)38 249 263

3.2.4.1 Legal conditions

As mentioned above, it is crucial that a buyer of real estate clarifies legal issues prior to engaging in a contractual relationship with the seller. This includes verification of construction permits, ownership of the real estate, and mortgage. In this context, it is advisable to hire professionals experienced in real estate transactions, e.g. a solicitor. Many of the real estate agencies provide these services as a part of their package to customers.

Documents that are needed to legalize the real estate transaction include⁶¹:

- Two original transaction contracts verified in the municipal court;
- Copy of the ownership document issued by the cadastre department of the respective municipality (this should be provided by the seller); and
- Both parties should bring proof that they have paid property tax on regular basis (this document is issued at the respective municipality).

⁶¹ Prishtina Municipality, Directorate for Cadastre, <http://www.prishtina-komuna.org/?cid=1,29> , accessed in November 2009

- The buyer should pay ownership transfer taxes. The amount of this tax depends on the size of the land/house/apartment. However, the minimum amount is 150 EUR.

3.2.4.2 Eventual obstacles for certain groups

In general terms there are no obstacles for any citizen of Kosovo. However, single woman and certain minorities (Roma, Ashkali, Egyptian) may face difficulties in purchasing real estate due to their poor economic condition. In addition, Serbian and Roma minority may face obstacles in buying real estate in the areas where they feel or perceive that they are unsafe, as may Albanians from North Kosovo who find it unsafe to buy real estate in North Mitrovica, Zubin Potok, Zvecan and Leposaviq.

3.2.4.3 Relevant approximate prices

Real estate prices in the Kosovo market vary widely depending on location and the condition of the property. Interviews with real estate agencies in November 2009 indicate that the purchase price of a typical 80 m² flat in Prishtinë/Pristina could be between 64,000 to 100,000 EUR, depending on location and legality of the apartment, while in Prizren (suburban location) it ranges between 40,000 to 64,000 EUR. In Pejë/Pec or Mitrovicë/Mitrovica the prices are around 32,000 to 56,000 EUR.

Costs of houses have increased in Kosovo during the transition period. Price increases are evident in Prishtinë/Pristina where there is a big concentration of financial, capital and employment opportunities compared to other parts of Kosovo.

Estimate prices of real estates/apartments in Kosovo:

<u>City</u>	<u>Price EUR/m²</u>
Prishtinë/Prishtinë/Pristina	800 -1,300
Prizren	500 – 800
Pejë/Pec	500 – 700

Mitrovicë/Mitrovica	400 – 700
Gjakovë/Dakovica	400 – 700

3.2.4.4 Available credits and subsidies

There are no credits or subsidies provided by the Government of Kosovo. Nevertheless, commercial banks offer loans under the same terms and conditions described in the section 3.2.3.3.

3.2.5 Opportunities to rent a house or apartment

Due to the large international presence in Kosovo, availability and prices of property rent are changing constantly. However, as mentioned earlier, there has been a construction eruption going on over the last 10 years in Kosovo, thus opportunities for renting a house or apartment are fairly accessible, provided one can afford the rent.

Information on the rental market can be obtained through daily newspapers and real estate agencies throughout Kosovo:

www.kohaditore.com

www.ofertasuksesi.com

www.kosovarealestate.net

realestate@kosova-yp.com

++ 377 44 363 664

++ 386 49 363 664

www.ecoimpex-90.com

Str. Fehmi Agani 9/1
Prishtinë/Pristina 10000
Kosovo
Phone: +381 (0)38 222 757
Fax: +381 (0)38 249 263

In addition, the Kosovo Property Agency is managing rental schemes for the houses/apartments of the Serbian minority that currently are unoccupied⁶².

3.2.5.1 Eventual obstacles for certain groups

See section 3.2.4.2.

3.2.5.2 Relevant approximate prices

In Prishtinë/Pristina, the rent for apartments is approximately 300 to 500 EUR, often regardless of size. For houses, it is between 1,000 to 3,000 EUR. Outside Prishtinë/Pristina, the prices are approximately 30% lower. The price of rent depends on the location of the rented premises.

3.2.5.3 Available subsidies

Not available.

3.2.6 Other middle-term accommodation possibilities

Not available

3.2.7 Temporary shelters

There are no specific temporary shelters for accommodation of homeless people. However, the Ministry of Labour and Social Welfare (MLSW) provides temporary accommodation to returnees for a maximum of seven days. Employees of the MLSW that are based at the Prishtina International Airport (PIA), interview all returnees upon their

⁶²The Kosovo Property Agency, <http://www.kpaonline.org/rental.asp>, accessed in November 2009

arrival to PIA, and in case a returnee has no place to stay, he/she will be accommodated at a hotel in Prishtina and accommodation fees will be paid by the MLSW. This temporary accommodation can be used for a maximum of seven days, and if by this time a returnee does not manage to find accommodation, such cases will be transferred to the municipality social welfare authority, which is responsible to find a solution for accommodation. However, in practice, accommodation by the municipal social welfare authority is almost impossible due to the lack of facilities for temporary accommodation. Furthermore, according to an OSCE report, none of the municipalities in Kosovo have taken any steps towards finding temporary and/or durable housing solutions for repatriated persons, and none has included budgetary projects in its budget plans to meet the housing needs of repatriated persons. The lack of access to housing and accommodation for repatriated persons remains a major obstacle to sustainable return and reintegration. There are reported cases of forcibly returned Roma who found temporary shelter in the lead contaminated camp of Osterode in northern Mitrovicë/Mitrovica as well as the Roma Mahalla in the southern part of the municipality. Extreme cases have also been reported in Istog/Istok municipality, where repatriated persons became homeless, and only upon intervention of KFOR and the municipal community officer were temporarily accommodated in an informal camp in Gurakoc/Djurakovac⁶³.

3.3 Livelihood – basic “survival”

Kosovo became a member of the International Monetary Fund and of the World Bank in June 2009.

Real GDP growth in 2008 was 5.4%, up from 5.0% in 2007. Contrary to 2007, a year in which private sector dynamism was the main source of economic growth, economic activity in 2008 and in the first half of 2009 was increasingly driven by the acceleration of

⁶³ OSCE mission in Kosovo, Department of Human Rights and Communities, “Implementation of the Strategy for Reintegration of Repatriated Persons in Kosovo’s Municipalities”, November 2009, http://www.osce.org/documents/mik/2009/11/41281_en.pdf, pages 10-11, accessed November 2009

public capital spending. Annual growth in private consumption stood at 11.3%, public consumption grew by 3%, and while public investment increased by 194%, private sector investment declined by 10.2%. As a consequence of the global economic crisis, exports have been decreasing since late 2008. However, Kosovo's limited integration into the global economy and a stable financial sector pursuing conservative strategies have so far delayed a stronger impact of the crisis. In addition, the persisting weakness of the statistical system does not allow for a comprehensive assessment of the economic situation in Kosovo. According to IMF estimates, GDP per capita in 2008 reached €1,726, which corresponded to 6.9% of the EU-27 average compared with 6.5% in 2007. Wages and salaries increased by 9.3%, subsidies and transfers by 32.6%, and capital outlays almost tripled (194.4%). In the first half of 2009 government expenditure continued to rise, wages and salaries were up by 17.0%, subsidies and transfers rose by 25.4%⁶⁴.

However, Kosovo remains the poorest country in Western Balkans, with unchanged living standards mainly because real economic growth in the last 4 years has been slow and labor market conditions have been poor as a result. About 45% of the Kosovan population lives in poverty⁶⁵ and 15% in extreme poverty. The poorer part of the population tends to be concentrated in households that are large, elderly, have more dependents, more unemployed, and are located in rural areas. Geographically, 3 out of 5 (60%) poor people live in only three regions - Mitrovicë/Mitrovica, Prishtinë/Pristina and Prizren. and Ferizaj/Urosevac⁶⁶.

⁶⁴ Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, available at:

http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf, pages 21-24, accessed in November, 2009

⁶⁵ Poverty is defined as having less than 45 EUR per person per month (in adult units as defined by the OECD). Extremely poor is defined as individuals who have difficulty meeting their basic nutritional needs.

⁶⁶ The World Bank, available at:

<http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/ECAEXT/EXTECAREGTOPHEANUT/0,,contentMDK:21761678~menuPK:511551~pagePK:64215727~piPK:64215696~theSitePK:511545,00.html>, accessed in November 2009

Moreover, economic development continues to be seriously impeded by the weak rule of law, a very limited and poorly diversified production capacity, and by a weak transport and energy infrastructure. Fiscal policies are driven by ad-hoc demands and lack a systematic link to the medium-term policy framework. The stability of the energy supply improved, at the cost of increasing subsidies from the budget. The already large trade deficit continued to widen, notably due to substantial imports of machinery and transport equipment for a major road construction programme. Both fiscal and external accounts became even less sustainable, mainly as a result of poor policy planning and implementation. Exports fell sharply in 2009, from an already very low base, as a consequence of the economic crisis. Economic statistics remain inadequate. The cost of finance remained high, as banks continued to attach high risk premiums to business loans. Budget subsidies and transfers increased. There is very little progress in strengthening the overall framework for a functioning market economy. The weak rule of law, corruption - prevalent in many areas - and uncertainty over property rights continued to be major impediments to economic development. The informal sector continues to pose an important challenge⁶⁷.

Overall Consumption⁶⁸ and Household Income⁶⁹

Consumption per household in Kosovo in 2008 was 6,707 EUR. This shows that it has increased by 17% in comparison with 2007. During 2008, urban households had a higher consumption, 6,894 EUR, while the consumption in rural households was 6,536 EUR. Those whose heads of households have completed only primary education or less consume about 5,986 EUR, while those with secondary education consume about 6,789 EUR, and those with higher education 8,656 EUR. Rural and less educated households had

⁶⁷ See footnote 39, page 63

⁶⁸ Consumption is classified according to Standard Classification of the Individual Consumption by Purpose (SCICP) in harmony with the National Accounts and Consumer Price Index

⁶⁹ Republic of Kosovo, Ministry of Public Administration, Statistical office of Kosovo, Series-5, Social Statistics, Household Budget Survey, 2008, available at: <http://www.ks.gov.net/ESK/eng/dmdocuments/Household%20Budget%20Survey%202008.pdf>, pages 7,20,21,24 accessed in November, 2009

lower levels of consumption and more members to share it. Most of the household budget is spent on food or 38% percent of total consumption. The second is housing with 35% percent and the third is for clothing and transport by 5% percent. Expenditures for food are reduced compared to 2007 and this can be seen as a sign of a higher economic standard. In 2008, about 8% percent of the total consumption included food by self-production (food in Kosovo is dominated by bread, food from cereals, daily products and eggs, meat, contributing with more than a half of the food consumption, followed by vegetables and non-alcoholic beverages).

Salaries of the public sector are the most important source of income in Kosovo and are the main source for almost a quarter of households. Next most important source is wages from the private sector and businesses. Nearly one out of ten households is living from money sent from abroad (remittances). Most households have mixed sources of income, so the current revenues provide a different insight.

Women have much lower income than men, as a group and as individual average.

3.3.1 Employment

Kosovo continues to lack significant employment opportunities. Based on statistical reports of the MLSW, the employment rate in 2008 was 35%. Female employment rate remains very low 17%, compared to males 53%⁷⁰. The implementation of the action plan on youth employment is hampered by the lack of inter-ministerial coordination.

People with higher education tend to have much better chances to be employed (80%) than those with lower or no education. 39% of employments during 2009 were in the public sector, while the rest was in the private sector. Regarding economic sectors, the

⁷⁰ Ministry of Labour and Social Welfare of Kosovo, Department of Labour and Employment, Employment Promotion, Performance Report 2008/2009, <http://www.ks-gov.net/mpms/PDF-fajllat/Publikimet/Librat/062009-Raporti-i-Performances.aspx>, page 60, accessed in November 2009

tertiary sector (service sector) had the highest (66%) demands for employees. A total of 7,906 working places were available during 2009. At least 6,392 unemployed people were employed through employment services of the MLSW. Of all employed in 2009, 74% were males and 26% females⁷¹.

Furthermore, Kosovo has no labour law and no specialised labour courts. Legislation in the area of *health and safety at work* is inadequate. The capacity of the Labour Inspectorate to implement the Law on Occupational Safety, Health and the Working Environment is limited. There has been minimal progress in the area of *social dialogue*. The collective agreement signed in 2004 on the minimum wage is not implemented

In overall, progress has been very limited in terms of employment. The absence of an adequate legislative framework and the poor administrative capacity presents serious obstacles to the development of effective employment policies. The administrative and institutional capacity needs strengthening in the public health sector.

3.3.1.1 Unemployment

Kosovo has the highest unemployment rate in Europe and Central Asia at 45%, followed by Macedonia. Youth unemployment is particularly high. Four out of every 10 youngsters who are unemployed have been so for more than one year. Young workers in Kosovo are typically employed in very low-quality jobs, and 20% of all unemployed youth in Kosovo are extremely poor⁷².

Over 338,000 persons were registered as unemployed at the end of June 2009. Over 90% of all registered job seekers have been on the unemployment register for more than 12 months. 47% percent of registered unemployed are females, and 59.3% are

⁷¹Ibid, pages 9-11

⁷²World Bank, Human Development Sector Unit Europe and Central Asia, Report No. 43596-XK, Kosovo Youth in Jeopardy; Being Yung, Unemployed and Poor in Kosovo-A report on Youth Employment in Kosovo, available at: http://siteresources.worldbank.org/INTKOSOVO/Resources/Kosovo_Youth_Employment.pdf, accessed in November 2009

uneducated/unskilled people⁷³. Disabled people remain among the most disadvantaged groups, along with Roma, Ashkali and Egyptians⁷⁴. The highest number of job seekers during this period is registered in Prishtinë/Pristina and Mitrovice/Mitrovica followed by Prizren region.⁷⁵

3.3.1.2 Labour market programmes

The sustainable employment development programme has been approved by local and international partners in July 2009. It envisages direct budget support for the next three years against an agreed set of policy milestones, including the macroeconomic environment, the investment climate, labour market policies, training and social protection policies. An inter-ministerial committee on employment chaired by the deputy prime minister has been set up to ensure coordination among relevant agencies. The Law on Professional Training, Retraining and Employment of People with Disabilities was adopted in December 2008.

However, recent labour market statistics show that 60% of job-seekers in Kosovo are unskilled, which is likely to cause an unending spiral of structured unemployment. On the other hand, there is a mismatch between competencies developed within the formal education system and those required within the labour market. There is evidence that Kosovo's population is under-educated in comparison with the needs of a modern economy, and this ranks higher education reforms among top priorities in the society.

There is hardly any contact between Kosovo's higher educations and research institutions, although this would be favourable and rewarding for both. There is no

⁷³ See footnote 71, page 9-11.

⁷⁴ Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, available at: http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf, pages 44, accessed in November, 2009

⁷⁵ See footnote 71, page 9

cooperation or even flow of information that would enhance modernization of higher education. In this situation each year Kosovo produces approximately 25,000 unemployed persons who are not ready to meet the market needs. Thus, there is not a proper education system with curricula that is adapted in accordance with the market needs⁷⁶.

Vocational schooling in Kosovo at secondary level is provided for students completing elementary school who do not gain a place in high school. There are about 50 vocational schools, each with a limited number of specialist programs. The Ministry of Education has prepared the Strategy Document for Vocational Education in 2003, and it recognizes that resources for the vocational schools are extremely limited. The academic approach to vocational education is determined in part by a number of features of the wider context in which vocational schools are located in Kosovo, such as almost total absence of industry in Kosovo, absence of significant links with employers from either the public or the private sector, shortage of materials and resources to support practical teaching, etc.

However, unemployed individuals should be registered at the municipal office for employment, in order to be informed about the labour market and availability of jobs and retraining programs, and to get support for employment as well:

⁷⁶Statistical Office of Kosovo, Labour Market Analysis, November 2007, www.ks.gov.net/ESK/eng/index.php?option=com_docman&task=search_result&Itemid=8, accessed in November 2009

Nr	Center for Social Welfare (CSW)	Manager	Contact number
1	Prishtinë/Pristina	Fahrush Neziri	038 244 841/044 164 019
2	Prizreni/Prizren	Nuhi Koqinaj	029 223 451/044 139 850
3	Peja/Pec	Drita Kemendi	039 433 473/044 298 803
4	Mitrovicë/Mitrovica South	Miran Salihu	028 535 440/044 208 777
5	Mitrovicë/Mitrovica North	Miladin Gjurovic	028 665 159/063 8184830
6	Gjilan/Gnjilane	Riza Syla	0280 320 140/044 177 399
7	Gjakovë/Gjakovica	Gjon Luli	0390 323 510/
8	Deqan/Decane	Agron Kuqi	039 461 014/044 327 961
9	Klinë/Klina	Enver Berisha	039 471 476/044 209 872
10	Istogu/Istog	Fitore Rexhaj	039 451 140/044 138 698
11	Obiliq/Obilic	Fatime Halimi	038 562 077
12	Fushë Kosovë/Kosovo Polje	Isak Zogjani	038 536 462
13	Glllogovc/Glogovac	Avdi Gashi	038 584 356
14	Lipjan/Lipljane	Ganimete Murseli	038 581 454
15	Pudujevë/Podujevo	Skender Muqaj	038 571 838/044 319 693
16	Novobërdë/Novobrdó	Vlanka Ivkovic	038 576 037/044 345 235
17	Viti/Vitina	Demush Ahmeti	0280 381 660/044 194 041
18	Kamenicë/Kamenica	Naser Vokshi	0280 371 099/
19	Ferizaj/Urosevac	Shyqeri Mehmeti	0290 327 525/044 299 678
20	Ranillug/Ranilug	Miroslav Dejanovic	044 177 417
21	Shtërpcë/Strpce	Dosta Racicevic	064 383 15 43
22	Kacanik/Kacanik	Ramadan Luzha	0290 380 671/044 224 919
23	Zveqan/Zvecane	Svetlana Mihajlovic	028 665 159/063 862 09 71
24	Leposaviq/Leposavic	Dragan Jablanovic	028 83 977/ 063 862 09 71
25	Skenderaj	Halil Hamzaj	028 582 247/044 192 123
26	Dragash/Dragas	Ibrahim Gashi	029 281 227/044 415 635

27	Malishevë/Malisevo	Afrim Zogaj	029 269 004/044 204 708
28	Rahovec/Orahovac	Floriqe Boshnjaku	029 276 663/044 611 812
29	Suharekë/Suvareka	Sami Rakaqi	029 271 165/044 209 864

3.3.1.3 Labour conditions

Labour conditions are governed by the Ministry of Labour and Social Welfare based on the regulation No. 2001/27 and Essential Labour Law in Kosovo, and collective agreements. The law provides the protection of employees' rights including anti-union discrimination and gender discrimination. Moreover, this law regulates provisions of annual leaves, minimum wage, overtime pay, maternity, leaves and sick leaves⁷⁷.

Working Hours

UNMIK Regulation no. 2001/27 followed by the Essential Labour Law contains detailed provisions regarding working hours, such as the fact that working hours shall not exceed 40 hours per week and a working day shall not exceed 12 hours. Overtime may not exceed 20 hours per week or 40 hours per month. The law provides that overtime shall be paid at a rate of 20 % per hour or be compensated with corresponding time off during the following month. The employer can choose the option on a case-by-case basis.

Average wage is estimated at around 248 EUR per month⁷⁸.

⁷⁷UNMIK/REG/2001/27, On Essential Labour Law in Kosovo, October 2001, http://www.mpms-ks.org/data/File/Ligjet/RE2001_27.pdf, accessed in November 2009

⁷⁸ Ministry of Labour and Social Welfare of Kosovo, Department of Labour and Employment, Work and Employment, Annual Report 2008, <http://www.ks-gov.net/mpms/PDF-fajllat/Publikimet/Librat/2008-Raporti-Vjetor-Puna-dhe-Punesimi-PDF.aspx>, page 51, accessed in November 2009

Personal Income Taxes (PIT)

Salaries less than 960 EUR yearly PIT=0%; salaries 961 - 3,000 EUR yearly the PIT=4%; salaries 3,001 – 5,400 EUR the PIT = 8%; and salaries over 5,400 EUR yearly the PIT = 10%.

Paid Leave

The law provides for the following paid leaves:

- The annual leave for the first year of work is 12 working days, respectively 18 working days for years thereafter.
- Official holidays: If an employee works on such days, the hours are considered as overtime.
- Unpaid leave: this type of leave is subject to an agreement between the employee and employer.

Maternity and sick leave: see section 3.3.5.2

However, there are no *labour law* and specialised labour courts. Legislation in the area of *health and safety at work* is inadequate. The capacity of the Labour Inspectorate to implement the Law on Occupational Safety, Health and the Working Environment is limited. The Inspectorate maintains no databases on health checks on employees or on the number of employees in the private sector. There are no statistics on the number of fines issued by the Inspectorate; fines are often not paid. The role of social partners in decision making remains limited. The collective agreement signed in 2004 on the minimum wage is not implemented. There is no law on strike action.

3.3.1.4 Accessibility of short-term / occasional jobs

Short term/occasional jobs are not widely available in Kosovo. Furthermore, there is poor coordination between the relevant authorities (Ministry of Labour and Social Welfare) and the private sector, which is a major provider of short-term jobs. However, MLSW in

cooperation with other Ministries and International organizations is implementing several employment generation projects. In this respect, MLSW in cooperation with UNDP has implemented projects, like “Active Labour Market Program for Youth” and “Employment Generation Project”, aiming to train and employ the youth and general population, including minorities⁷⁹. In collaboration with the German Federal Employment Agency, MLSW is implementing a seasonal employment programme for students. Moreover, there are several other short-term employment opportunities through MLSW collaborative project such as; “Public Work Project”, “Forestation Project”, “Vocational Training Project”, and “Project for Employment of Disabled People”⁸⁰.

3.3.1.5 Lack (high demand) in specific professions

According to the employment market research, the regional employment centres⁸¹ as a field partner of the Ministry of Labour and Social Welfare, and ILO (International Labour Organization), the following are professions with high demand in Kosovo’s employment market:

Accounting; mechanical engineering; auto electricians; office administration; bakery and pastry; office equipment repair and maintenance; basic agricultural products transformation; plumbing and pipefitting; building and construction; pneumatics and hydraulics; business administration; repair and maintenance of household equipment; carpentry; sheet ironing, welding and basic metal tools; cook and waiter; electrical installation; textiles; information technology; welding; graphic design; and lift and elevators installation and maintenance.

⁷⁹ United Nations Development Programme (UNDP)- Kosovo, available at: <http://www.ks.undp.org/?cid=2,92>, accessed in December 2009

⁸⁰ Ministry of Labour and Social Welfare of Kosovo, Department of Labour and Employment; <http://www.ks.gov.net/mpms/Departamentet/Departamenti-i-Punes-dhe-Punesimit.aspx>, accessed in December 2009

⁸¹ Ministry of Labour and Social Welfare, Vocational Retraining Programs Brochure, <http://www.mpms-ks.org/data/Image/Publikimet/Informator.pdf>, accessed in November 2009

3.3.1.6 Practical and contact information

The practical and contact information regarding the job opportunities can be found in the following websites:

<http://www.kohaditore.com>

<http://www.ofertasukses.com>

<http://www.ofertapune.com>

<http://www.portalpune.com>

<http://www.shyqa.com>

<http://www.appk.org>

Ministry of Labour and Social Welfare of Kosovo

<http://www.mpms-ks.org>

e-mail: info_mpms@yahoo.com

tel/fax: 038/ 213-814 ; 038/ 213-022

Ministry of Trade and Industry of Kosovo

<http://www.mti-ks.org>

Rr. Perandori Justinjan, 3-5

Qytetëza Pejton, 10000 Prishtinë

Tel: +381 (0) 38 200 36010

Fax: + 381 (0) 38 212 807

3.3.2 Contact information relevant to the issue of recognition of degrees

The Ministry of Education is the authority to contact with respect to recognition of degrees obtained in foreign countries:

Ministry of Education Science and Technology, of Kosovo

Address; Loc. Dardania Building – III, St. Musine Kokollari No. 18, 10 000 -

Prishtinë/Pristina , KOSOVO

<http://www.masht-ks.org>

Tel: +381 (0) 38 549 973

masht@ks-gov.net

3.3.3 Education and retraining programmes

The education and retraining programmes are regulated by LAW No 02/L-42⁸² approved by Kosovo Parliament.

3.3.3.1 By government

The Ministry of Labour and Social Welfare has eight regional Vocational Training Centres (VCTs). These centres deliver training programmes in priority occupations, to the adults that are unemployed due to their inadequate training.

Vocational Training Centre (VCT)	Contact Information
VTC Prishtinë/Prishtinë/Pristina	tel: 038/ 564 043; str. "Tahir Zajmi" pn. 10000 Prishtinë
VTC Mitrovicë/Mitrovica	tel: 028/ 530 266; st. "Fushë Ibër" pn. 41000 Mitrovicë
VTC Prizren	tel: 029/ 243 684; str. "Manastirit" nr.1 20000 Prizren
VTC Gjilan/Gnjilane	tel: 0280/ 21 231; str. "Idriz Seferi" pn. Gjilan
VTC Ferizaj/Urosevac	tel: 0290/ 27 101; str. "Ramadan Rexhepi" Ferizaj
VTC Gjakovë/Dakovica	tel: 0390/ 25 071; str. "Mbretëresha Teuta" nr.72, Gjakovë
VTC Pejë/Pec	tel: 039/ 433 860; str. "Mbretëresha Teuta" nr.95, Pejë

⁸² Assembly of Kosovo, Law on Vocational Education and Training, http://www.masht-gov.net/advCms/documents/LAW_FOR_ADULT_EDUCATION_AND_TRAINING.pdf, accessed December 2009

VTC Dolane	tel: 063/ 823 7747; 044/ 350 847 village Dolane
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The VTCs organize vocational training courses for around 26 different vocations based on the market analysis of the demands for professions. The target populations are unemployed youth, females, people with special needs and minorities⁸³.

3.3.3.2 By private firms

The following private organizations deliver training programmes on Information Technology:

AUK (American University in Kosovo)	Gërmia Campus, Rr. "Nazim Gafurri" nr.21 10000 Prishtinë
Cactus Trainings	Kolonia Ramiz Sadiku pn. Qyteza Pejton Prishtinë, tel: 038/ 246 888 e-mail: info@cactus.com , http://www.cactus.com
Kujtesa	Tel: 044/ 156 901; 10000 Prishtinë e-mail: shkolla@kujtesa.com
Microsoft	Sheshi "Adem Jashari", pn. 028/ 30 795 40000 Mitrovicë
UBT (University of Business and Technology)	Lagjja Kalabria pn. Prishtinë tel: +371 38/ 541 400; http://www.ubt-uni.net ; e-mail: info@ubt-uni.net

⁸³ For more information on Vocational Training Centres refer to: www.mpms-ks.org/data/Image/Publikimet/Informator.pdf, in December 2009

3.3.3.3 By international organisations or NGOs

APPK-AGEF	Str. "Andrea Gropa", pn 10000, Prishtinë tel: 038/ 243 474; e-mail: info@appk.org , http://www.appk.org
GTC (German Training Centre; Qendra Gjermane e Trainimit)	Str. "Bislim Bajgora", pn. 41000 Mitrovicë tel: 028/ 530 156; e-mail: director@gtc-kosovo.org
Saudi Joint Relief Committee for Kosovo	Bulevardi-Bill Clinton, (ish "Novi Domi") Dardani, Prishtinë; tel: 038/ 549 203
"Don Bosko" School	Str. "Tahir Zajmi", Prishtinë; tel: 038/ 541 169 e-mail: pristine@sdbime.it
Humanitarian Association from Qatar	Rruga e Marevcit pn., Prishtinë tel:038/ 243 935; 038/ 243 936
Swisscontact Office in Prishtinë/Pristina Office in Gjakova	Str. 6 Hamdi Gashi 32 P.O Box 185, 10000 Prishtina, Republika e Kosovës Tel: +381 (0)38 517 543 Fax: +381 (0)38 517 543 Str. M.Cama nr.14. 50000 Gjakovë, Republika e Kosovës Tel & Fax; +381 (0)390 324 290
GTZ	GTZ Office Prishtinë/Pristina Hajrullah Abdullahu Street 25 10000 Prishtinë/Pristina , Kosovo Tel: +381 38 224 956 Fax: +381 38 243 776 Email: gtz-kosovo-buero@gtz.de ,
SIDA	swedishoffice.pristina@sida.se Telefon: +381 (38) 24 57 95

	Fax: +381 (38) 24 57 91
KOSVET	Programme Office Str. Dukagjini 116, 10000 Pristina, Kosovo Tel/Fax: + 381-38-224713 www.pem-consult.de/kosvet kosvet@pem-consult.de

3.3.4 Starting a new business

Any returnee can start a new business either by own funds or using credit funds that are offered through Commercial Banks and Micro Finance Institutions (MFI), or NGOs.

3.3.4.1 Legal conditions

According to the law, all business entities in Kosovo are obligated to register with Kosovo Business Registration Agency (KBRA) within the Ministry of Trade and Industry of Kosovo.

Kosovo Business Registration Agency

Str. Perandori Justinjan, 3-5 Qytetëza Pejton, 10000 Prishtinë, Kosovë

Tel: +381 (0) 38 200 36010, Fax: + 381 (0) 38 212 807

<http://www.arbk.org/arb/>

Activities of the Business Registration Agency include:

- Registration of new businesses;
- Re-registration of the registered businesses as the provisional ones;
- Registration of Trade Name which can be used by any type of business;
- Registration of Kosovo businesses working units;
- Registration of foreign companies' units – representatives in Kosovo,

- Registration of changes in information which were registered in the provisional registration;
- Acceptance of annual reports and annual financial reviews (annual balances) from Corporations, Shareholding Companies, and Public Limited Companies;
- Deletion of all non functional businesses from register and businesses that do not operate according to respective legislation or violate article 34.4 of AU No. 2002/22;
- Design and distribution of registration forms;
- Distribution of certificates for registered businesses;
- Records giving and certification of documentation copies from Business Register;
- Cooperation with Statistical Office, Tax Administration and other Offices and Agencies;
- Safe-keeping of written and electronic data; and
- Information provision to the public through notices publication, papers with pre-publishing information and document copies as well as internet web site operation.

Kosovo Business Registration Agency (KBRA) carries out new business registrations and their re-registrations such as:

- Individual Business
- General Partnership
- Limited Partnership
- Limited Liability Company
- Joint Stock Company
- Foreign Company
- Socially Owned Company
- Publicly Owned Company
- Agriculture Cooperatives

- Other enterprises under KTA jurisdiction.

To enable this registration, KBRA uses the following application forms⁸⁴:

FORM A

Application for initial registration as well as amending into Joint Stock Company, Limited Liability Company or Foreign Company:

- Arrangement for Inclusion
- Statute
- Leasing Contract (foreign companies),
- ID or Passport,
- A charging fee paid off in the account of the Registration Office,

FORM B

- Application for business registration, either individual or partnership -Leasing Contract – if the founder does not possess the property or is a non-resident citizen of Kosovo
- ID or Passport,
- Tax registration fee in an amount of 5 Euro in the benefit of the Registration Office.

For re-registration, an applicant should have the temporary business registration certificate (original) as well; UNMIK Regulation No 2000/8

FORM C

Application for reservation of the trade name

- Arrangement for utilization of the Trade Name,
- ID or Passport,

⁸⁴ Detailed information on application forms are available at :
<http://www.arbk.org/arb/Formularet/tabid/64/language/en-US/Default.aspx>

- A charging fee as an amount of 5 Euro in the benefit of the Registration Office.

FORM D

Application for business lapsing.

- Business Registration Certificate (original),
- Certificate for fulfillment of tax obligations of Central Fiscal Authority,
- ID or Passport,
- A tax fee paid as an amount of 10 Euro.

FORM KO

Application for Agriculture Cooperative registration

- Statute
- The Decision of director's designation
- Fee paid of 20 Euro
- Possession List

Any business providing security services in Kosovo is required to be registered with and issued by a business license by UNMIK. The Department responsible for such registration and for the issuance of such licenses (hereinafter "the Department") shall be specified in an administrative direction. For more detailed information please refer to the Regulation No. 2000/33⁸⁵

Licence

All businesses in Kosovo must be licensed. The licence is issued by the Ministry of Trade and Industry after submission of the following documents⁸⁶:

⁸⁵UNMIK Regulation on Licensing of Security Services Providers on Kosovo and the Regulation of their Employees, available at:

http://www.unmikonline.org/regulations/unmikgazette/02english/E2000regs/RE2000_33.htm

⁸⁶ Ministry of Trade and Industry of Kosovo, <http://www.mti-ks.org/?cid=1,399>, accessed in December 2009

- Photocopy of construction permission issued by the respective municipality, if the business building is under construction;
- Photocopy of business registration issued by the Kosovo Business Registration Agency;
- Photocopy of VAT registration (when requested);
- Declaration from Tax Administration of Kosovo, which proves that the business has no unpaid taxes or pending legal procedures;
- Registration fees depend on the type of business (see above); and
- Licence should be renewed every two years and can be withdrawn at any time at the applicant's requests.

Businesses must have permission from the respective municipality authorities, too. In order to get a two year renewable permission, one should present to the municipal authorities the following documents:

- Photocopy of business registration and photocopy of license;
- Photocopy of urbanity plan of the construction where the business is going to take place, or rental photocopy if construction is rented; and
- Registration fee to the municipality which ranges from 75 EUR to 1,000 EUR, depending on the business type.

Taxes⁸⁷

The following three tax schemes are applied by the Kosovo Tax Administration:

1. Corporation Income Taxes (CIT). For the businesses with a yearly turnover of more than 50,000 EUR as well as for businesses with a yearly turnover between 5,000 and 50,000 EUR, CIT is 20 %. Businesses with a yearly turnover of less than 5,000 EUR should pay a fixed amount of CIT of 37.50 EUR, every three months.

⁸⁷ Kosova Tax Administration, <http://www.atk-ks.org/english/fillim/>, accessed in November 2009

2. Personal Income Taxes (PIT). For salaries of less than 960 EUR per year the annual PIT is 0 %. For salaries between 961 to 3,000 EUR the annual PIT is 4 %, for salaries between 3,001 to 5,400 EUR the PIT is 8 %, and for salaries over 5,400 EUR the annual PIT is 10 %.
3. Value Added Taxes (VAT). VAT is 16 % in Kosovo.

Useful information on business opportunities and investing in Kosovo, including laws, regulations, taxes and guide, can be found on the website of the Economic Initiative for Kosovo⁸⁸.

3.3.4.2 Credits and subsidies and access to them

The Kosovan Government, through the Ministry of Agriculture, Forestry and Rural Development⁸⁹, is providing very limited subsidies for the agriculture business. However, there are several commercial banks and micro finance Institutions that provide short, mid and long-term credits for businesses.

Documents needed for the business credits include:

1. Registration certificate issued by the Ministry of Trade and Industry, VAT certificate and information on business;
2. Financial information of the company for the last 12 months;
3. Inventory list of the company; and
4. Copy of plan and possession list for assets to be mortgaged.

The monthly interest of credits for small and medium businesses ranges from 1.9 to 1.10 %. The maximum amount of credit can be up to 1 million EUR.

MICROFINANCE INSTITUTIONS

⁸⁸ Economic Initiative for Kosovo, available at; <http://www.eciks.org/english/index.php>, accessed in December 2009

⁸⁹ Ministry of Agriculture, Forestry and Rural Development, www.mbpzhr-ks.org

FINCA INTERNATIONAL	<p>Main Office in Prizren, Str. Shaip Spahiu, pn. Prizren tel: 029/ 631 254; 029/ 622 378; http://www.finca-ks.org</p> <p>FINCA-branch in Prishtinë/Pristina , Str. Iliaz Kodra, pn. tel: 038/ 544 925</p> <p>FINCA-branch in Ferizaj, Str. 13 Qershori, pn. tel: 0290/ 327 375</p> <p>FINCA-branch in Gjakova, Str. Nëna Terezë, pn tel: 0390/ 321 704</p> <p>FINCA-branch in Gjilan, Str.Mehmet A.Ersoy, pn tel: 044/ 224 445</p> <p>FINCA-branch in Peja, Str. Mbretëresha Teutë, pn. tel: 039/ 432 823</p>
International Centre for Support to Business	Str. Mostari, #19/6, Prishtinë, tel: 038/ 228 539
Intercooperation	Str. Mitëhat Frashëri, nr.6, Arbëri II, Prishtinë Tel: 038/ 243 034
KEP-(Kosovo Enterprise Program)	Str. Bedri Pejani nr. 4, Prishtinë tel: 038/ 245 011; fax: 038/ 245 012 e-mail: info@keponline.net ; http://www.keponline.net
KRK (Kreditimi Rural i Kosovës)	Str. Rexhep Mala, nr.4 Prishtinë tel: 038/ 243 554; e-mail: krk_imf@hotmail.com http://www.micro-credit.net/kosovo/home.html
Mercy Corps International	Str. Bedri Shala, nr.38/C, Bregu Diellit, Prishtinë tel: 038/ 549 704 http://www.mercycorps.org/countries/kosovo
Partner Aid International	Str. Ferizajit, nr.201, Gjilan Tel: 0280/ 327 427; fax: 0280/ 320 388

UNDP (United Nation Development Program)	Qyteza Pejton, nr. 14, Prishtinë; tel: 038/ 249 066/101 e-mail: registry.ks@undp.org ; http://www.kosovo.undp.org
BZMF (Besëlidhja Zavet Micro Finace)	Str. UÇK, nr.18, Prishtinë, 10000 Kosovo Tel:+381 (0)38 225 023; fax: +381 (0)38 247 951 e-mail: info@bzmf.org http://www.bzmf.org/contactus.htm

COMMERCIAL BANKS

Raiffeisen Bank

UÇK Street 51

10000 Prishtinë/Pristina

Tel.: +381 (0) 38 226 400, 401

Fax: +381 (0) 38 226 408

<http://www.raiffeisen-kosovo.com>

info@raiffeisen-kosovo.com

Nova Ljubljanska Banka - NLB

Rexhep Luci Street 5

10000 Prishtinë/Pristina

Tel.: +381 (0) 38 246 180

Fax: +381 (0) 38 246 189

<http://www.kasabank.com>

kasabank@kasabank.com

ProCredit Bank

Skenderbeu Street

10000 Prishtinë/Pristina

Tel.: +381 (0) 38 240 248

Fax: +381 (0) 38 248 777

<http://www.procreditbank-kos.com>

info@procreditbank-kos.com

Economic Bank

Migjeni Street 1

10000 Prishtinë/Pristina, Kosovo

Tel.: +381 (0) 38 244 396

Fax: +381 (0) 38 243 828

<http://www.bekonomike.com>

bek@bekonomike.com

Bank for Business

UÇK Street 41

10000 Prishtinë/Pristina, Kosovo

Tel: +381 (0) 38 244 666

Fax: +381 (0) 38 243 656, 657

<http://www.bpb-bank.com>

hq@bpb-bank.com
hq@bpb-bank.com

TEB

Agim Ramadani Street 15

10000 Prishtinë/Pristina, Kosovo

Tel: +381 (0) 38 230 000

Fax: +381 (0) 38 224 699

www.teb-kos.com

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3.3.5 Social security

Social security covers four broad areas:

- Pension programmes to support the elderly and the disabled;
- Social assistance programmes to support vulnerable cases;
- Veterans' programmes for those injured during the war and for families of those killed or missing; and
- Assistance in finding jobs to support their families.

The social protection system is financially unsustainable and not organised efficiently. The Ministry of Labour and Social Welfare has limited capacity in the mechanisms for monitoring. There is no adequate updated legislation. The social services system remains centrally managed. Decentralization is being hampered by financial constraints and limited capacity at municipal level. There are no professional social workers in Kosovo with adequate experience and competence.

Pensions

The pension scheme has been changed to increase benefits to those who have contributed to the old Yugoslav pension fund for more than 15 years. Nearly 138.847 persons are currently receiving benefits under the basic pension scheme. Based on laws and administrative regulations of the Kosovo authorities the following are forms of Government and private pension provision⁹⁰:

- Mandatory pensions consisting of two forms of pension: A. Basic Pension; and B. Individual Savings Pensions.

⁹⁰ Regulation No. 2005/20 amending UNMIK Regulation No. 2001/35 on Pensions in Kosovo, August 2005, www.mpms-ks.org/data/File/Ligjet/RE2001_35pension2.pdf, paragraphs 4-8, page 10, accessed in December 2009

- A.** Basic Pension - means a pension paid by the Pension Administration to all persons habitually residing in Kosovo who have reached the pension age (65 years). Within this pension fund there are two categories of beneficiaries.
- i. All persons who are residents of Kosovo and have reached the pension age (65 year) regardless of their working record (if they use to work or not) are eligible and will receive a pension at the rate of 45 EUR per month.
 - ii. All persons who are residents of Kosovo and have reached pension age (65 years) and can prove that they have worked and contributed to the pension fund for at least 15 years are eligible and will receive a pension at the rate of 75 EUR per month
- B.** Individual Savings Pension - means a pension paid by the Kosovo Pension Savings Trust to persons of pension age meeting the requirements of the regulations with respect to pension contributions. Persons eligible for this pension are those who have been working and paying pension contributions to the Pension Savings Trust. This fund has been established in 2002⁹¹. The employer should pay 5 % of its gross salary (after taxes) and employee 5%, to the Tax Administration. The monthly pension rate from these savings depends on the years of contribution, amount of the contribution and annual investment return⁹².
- C.** Supplementary Employer Pension - is a pension provided to employees by their employer in accordance with Regulation No. 2005/20. Employers may provide Supplementary Employer Pensions through the establishment of Supplementary Employer Pension Funds ("Pension Funds"). Pension Funds

⁹¹ For more information on this pension fund see: www.trusti.org/trusti/Home/tabid/36/language/en-US/Default.aspx, accessed in December 2009

⁹² For more information see: www.trusti.org/trusti/Investments/PensionCalculator/tabid/171/Default.aspx, accessed in December 2009

are non-profit legal entities established in the form of trusts for managing pension assets.

- D. Supplementary Individual Pension is a pension purchased by natural persons from licensed pension providers in accordance with the Regulation. Natural persons may establish a Supplementary Individual Pension for themselves by contracting a licensed bank or other financial institution for a trust management of a Defined Contribution Pension or by contracting with a licensed insurance company for a Defined Benefit Pension.

Disability pensions⁹³

Disability pensions provide financial support to eligible persons in accordance with the criteria set forth in law and within the resources allocated for this purpose in the Kosovo Consolidated Budget.

In order to be eligible for a disability pension, an applicant must be habitually residing in Kosovo and must meet the disability requirements of the law on Disability Pensions. The Doctor's Commission will assess the medical condition of applicants for disability pensions.

Persons who reside in, are confined in, or are financially supported by institutions caring for the disabled, including psychiatric or medical establishments, religious institutions caring for the infirm or disabled, residential schools and prisons, and other institutions receiving support from the Kosovo Consolidated Budget to care for the disabled, are not eligible for disability pension payments under the law on Disability Pensions.

⁹³ Assembly of Kosovo, Law No. 2003/23, On Disability pensions in Kosovo, November 2003, www.kuvendikosoves.org, accessed in December 2009

Persons capable of employment or actually employed in any manner, including any self-employment as defined in the tax laws of Kosovo, shall not be eligible for disability pension.

Persons who are in receipt of a basic pension or a benefit under the scheme of “Benefits for the war invalids of Kosovo and for the next of kin of those who died as a result of the armed conflict in Kosovo” shall not be eligible for disability pensions.

An application for a disability pension should be submitted at the Social Welfare Centre in the respective municipality. The Doctor’s Commission must review the applicant’s medical condition. When submitting an application the applicant must produce medical evidence from any qualified registered medical practitioner who has previously treated or assessed the applicant. This medical evidence must set out precisely the following:

- Diagnosis of the physical, mental condition, disease or disability that the applicant is suffering from;
- Impact of the health condition, disease or disability on employment, including a specific description of impaired functioning of the applicant;
- Date of onset of the condition, disease or disability;
- Assessment of the applicant’s work ability with respect to daily living tasks and tasks associated with employment; this must include reference to applicant’s prior employment if any; and
- Prognosis of the permanence of disability.

The Social Welfare Centre requires that all medical evidence is submitted in accordance to a form(s) supplied by the Ministry for this purpose. In addition, respective authorities or the Doctor’s Commission may at its sole discretion require from the applicant to attend a medical examination at a time and place decided on by the Designated Authority or the

Doctor's Commission. This provision applies also to persons who are already in receipt of a disability pension and whose continuing disability is being reviewed pursuant to the law on Disability Pensions. Failure to attend such examination shall disqualify an applicant from receipt of a disability pension. However, exemption may occur for a reasonable excuse.

The monthly rate of disability pension is set at the same rate as the monthly rate for basic pension (currently 40 EUR).

3.3.5.1 Unemployment benefit and access to it

Currently there is no unemployment benefit other than the social assistance scheme described below.

Social Assistance

The Kosovan Parliament passed the Law No. 2003/15 on the Social Assistance Scheme in Kosovo⁹⁴, which sets out the legal acts, criteria and procedures to assist poor and vulnerable families. Some 325,000 persons are covered by a social assistance scheme. Currently the social assistance scheme is under review by the Ministry of Labour and Social Welfare and Ministry of Economy and Finance. However, based on this scheme, there are two main groups of criteria that are used to determine if a family/person is eligible for social assistance or not.

Non-Financial Criteria for Social Assistance

In order to be eligible for social assistance, all family members must be habitually residing in Kosovo and the family must fall within one of the following two categories:

A. Category One.

⁹⁴ Assembly of Kosovo, Law No. 2003/15, on Social Assistance Scheme in Kosovo, August 2005, www.kuvendikosoves.org, pages 5-9, accessed in April 2009

A family where all family members are dependants, as defined in sub-section 2.7 of the Social Assistance Scheme Law, and where such dependants are not working. This includes the following groups:

- Persons who are over 18 years of age and who have permanent and severe disabilities rendering them unable to work for remuneration;
- Persons who are 65 years of age or older;
- Full-time careers of a person(s) with permanent disability, *or* of a person(s) at or over the age of 65 needing full-time care, *or* of children under the age of 5;
- Persons up to 14 years of age;
- Persons between the ages of 15 and 18, included those who are in full-time secondary education;
- Single parents with at least one child under the age of 15.

B. Category Two.

A family where only one family member is able to work who has:

- At least one child under the age of 5, and/or
- An orphan under the age of 15, being taken care of permanently by a family.

All family members within these two categories must either be a dependant, as defined in the law, or be registered as unemployed with the Employment Offices of the Ministry.

Persons who reside in, or are confined to institutions like psychiatric institutions, homes for the elderly, religious institutions, boarding schools, and prisons, are not eligible for Social Assistance payments under this Law.

Financial Criteria for Social Assistance

In order to be eligible for social assistance, an applicant or recipient must meet the following financial eligibility requirements.

- a. He or she has quantifiable assets below the limits allowable.
- b. He or she has net quantifiable income (after appropriate deductions) below the Monthly Gross Standard Rate applicable to that family.

Assets may be quantifiable or non-quantifiable for determination of financial eligibility. Quantifiable assets are all assets that are considered for financial eligibility determination. Non-quantifiable assets are all assets that are exempt from financial eligibility consideration.

Application for Social Assistance

Respective municipal social welfare centres shall accept applications from families that consider themselves eligible for social assistance. A family cannot submit an application for social assistance to more than one social welfare centre at any time.

Families applying on the basis of one or more family members being permanently and severely disabled will have such person's medical condition reviewed by the Doctor's Commission.

Period of Receipt of Social Assistance

Eligible families/persons under category one will receive social assistance for a period up to six (6) months provided that the family continues to meet the criteria specified under the category during this period. A new application is required in order for the family to receive further social assistance after the expiry of the aforementioned period.

Families/persons eligible under category two will receive social assistance for a period up to six (6) months, provided that the family continues to meet the criteria specified during this period and take the necessary action to find work. The frequency by which the designated authorities shall require evidence of the family's action to find work will be set out in an instruction guide to be issued by the ministry. A new application is required in

order for the family to receive further social assistance after the expiry of the aforementioned period.

Respective authorities shall inform each applicant in writing of the outcome of his/her application within 45 days.

A family receiving social assistance must inform the authorities immediately of any change of circumstances that may affect their eligibility for social assistance.

Monthly Social Assistance Payments

The monthly gross standard rate of social assistance shall be calculated according to the family size and consumer price index, as follows:

Family Size	Monthly Gross Standard Rate
One member	40 EUR
Two members	55 EUR
Three members	60 EUR
Four members	65 EUR
Five members	70 EUR
Six members	75 EUR
Seven or more members	80 EUR

The amount of monthly social assistance to be paid to an eligible family/person shall be calculated based on the following formula:

$$C=A - B$$

C = amount to be paid to the eligible family/person;

A = monthly gross standard rate of social assistance applicable to the family size

B = quantifiable net monthly income of the eligible family/person after allowable deduction has been applied

3.3.5.2 Sickness benefits and access to them

In terms of direct financial support to the employees, there is no sickness benefit under the current social scheme of the Kosovo Government. Women are entitled six months of paid maternity leave. During this time, the first three months are paid by the employer at the level which is not less than 70 % of her regular salary, whereas the remaining 3 months of maternity leave are paid by government funds, again not less than 70 % of the regular salary. In addition, employees have a maximum of 30 days of paid sick leave during a one year period. If sick leave is taken as a result of a work-related accident/injury or illness, an employee is entitled to his/her salary for such period.

It should be emphasized that the abovementioned benefits apply to the employees working in the public sectors. Regarding employees' entitlements in the private sector, it is very difficult to give an accurate picture, because benefits vary among the private companies.

3.3.5.3 Family allowances and access to them

No benefits other than the social assistance scheme presented above.

3.3.5.4 Other benefits in the social welfare system

There is a social assistance scheme dedicated to war invalids and families of martyrs. The amount of financial assistance for this category depends on the level of disability, the minimum being 55 Euro and maximum 355 Euro. In addition, the ministry provides support to special cases, which refers to the residents of the MLSW institutions. This support implies 10 EUR/monthly per person.

Furthermore, families of children aged 1-18 years with the permanent disability, are entitled to receive financial support at the level of 100 EUR per month⁹⁵. Permanent disabled children are considered:

- a) Immobile children (immovable);
- b) Totally blind children; and also,
- c) Children who because of the nature of any illness or permanent illnesses, are not able to independently move in the apartment, or in places they need to, nor by using the corresponding helping tools, are not able to feed themselves, or wear and take off their clothes, to carry out physiological needs or keep the necessary personal hygiene.

3.3.5.5 Special benefits for returnees

There are no social schemes under the government structures that aim to assist returnee communities specifically.

3.3.6 Charity organisations with a general scope

Mother Theresa Association

Telephone: ++381 38 542 854

Email: ntereza@yahoo.com

Read Cross of Kosovo

<http://www.redcroos-ks.org>

Catholic Relief Services

Email: info@crs.org

Website: <http://www.crs.org/kosovo>

⁹⁵ Republic of Kosovo, Assembly, Law No. 03/L-022, On Material Support for Families of Children with the Permanent Disability, May 2008, http://www.assembly-kosova.org/common/docs/ligjet/2008_03-L022_en.pdf, accessed in December 2009

Useful information on NGO's operating in Kosovo can be found in: <http://www.advocacy-center.org/Newsletter/NGO%20Directory.pdf>, and <http://www.kgscenter.org/pdf/ngo.pdf>,

3.3.7 Useful data to calculate the cost of living⁹⁶

<u>Item</u>	<u>Unit</u>	<u>Amount</u>	<u>Price/Unit</u>
Bread	Piece	1	0.25 - 0.60 EUR
Milk	Litre	1	0.75 – 0.90 EUR
Cheese	Kilogram	1	2.42 – 6.00 EUR
Yogurt	Litre	1	0.65 – 1.10 EUR
Eggs	Piece	30	1.89 – 2.30 EUR
Beef	Kilogram	1	4.75 – 6.00 EUR
Oil	Litre	1	0.93 – 1.20 EUR
Rice	Kilogram	1	1.15 – 1.70 EUR
Sugar	Kilogram	1	0.55 – 0.70 EUR
Salt	Kilogram	1	0.21 – 0.30 EUR
Flour	Kilogram	1	0.30 – 0.62 EUR
Frozen chicken	Kilogram	1	1.90 – 2.90 EUR
Potatoes	Kilogram	1	0.18 – 0.40 EUR
Onions	Kilogram	1	0.32 – 1.00 EUR
Cabbage	Kilogram	1	0.15 – 0.30 EUR
Peppers	Kilogram	1	1.10 – 2.00 EUR

⁹⁶ For more information see: <http://food-ks.org/?cid=2,1#>, accessed in December 2009.

Tomatos	Kilogram	1	0.55 – 1.00 EUR
White beans	Kilogram	1	1.45 – 2.50 EUR
Apples	Kilogram	1	0.50 – 0.75 EUR

Electricity ⁹⁷	High rate	Low rate
	9.33 EUR/100 kWh	4.66 EUR/100 kWh
Central Heating	Private	Commercial and Institutional
	0.84 EUR/m ² month (no VAT)	1EUR/m ² month (no VAT)
Water	0.40 EUR/m ³	
Fuel	0.90-0.95 EUR /L	
Fire wood	35.00 – 45.00 EUR / m ³	

3.4 Health

3.4.1 General health situation by regions

Thanks to the sound investments of the international community, considerable improvements have been achieved in provision of health care services, since June 1999. However, Kosovo's health care sector continues to face numerous problems that are mainly related to the lack of appropriately trained health professionals, poor planning and ineffective management of health services, outdated equipment and insufficient supply of essential drugs. These shortfalls contribute negatively to the health condition of Kosovo's population in general.

An accurate picture of the health situation in Kosovo is questionable because of the limitations regarding the extent and the accuracy of health information, mainly due to the

⁹⁷ Kosovo Energy Corporation, <http://www.kek-energy.com/kek-cmnPg.jsp?mID=173&cat=171&l=0>, accessed in April 2009

very poor Health Information System⁹⁸. In this respect, information for this report is collected from different sources which may be outdated⁹⁹ or inaccurate, hence should be treated carefully. Nevertheless, Kosovo is considered to have the worst health situation in Southeast Europe. As already mentioned, valid data about the health status of the population are scarce; however available indicators suggest that the health status of the population is relatively poor, and further deteriorating:

- Maternal and Child Health - The maternal health status in Kosovo is poor compared to the rest of Europe and neighbouring countries. The Maternal Mortality Rate (MMR) is considered the highest in the region: recent research of facility-based data estimates MMR at 21 per 100.000 births. Poor and insufficient antenatal care is seen as one of the main contributing factors for the high MMR. Furthermore, Information obtained from health institutions indicates that the main reasons for maternal deaths are haemorrhages, infections, hypertension, and unsafe abortions. The infant mortality rate (IMR) is estimated at 44 per 1.000 live births; while “under 5” mortality rate is estimated at 69 per 1.000 live births. Perinatal mortality is 20 per 1.000 live births (2006), the highest in the region (EU-2006: 6.05). Immunisation programmes were heavily disrupted during the conflict, and as a result immunisation coverage was only 19% in early 1999. Improvements made recently increased the coverage to over 90% in 2005. However, the difference in coverage between the BCG dose of 99.5% (given while newborns are still in the health facility) and the coverage of only 76% for measles/mumps/rubella vaccine (given when the child is between 12 and 18 months) indicates the need for increased awareness and knowledge of the importance of immunisation.
- Family Planning and Sexually Transmitted Infections (STI) including HIV/AIDS - According to the Demographic Health Survey 2003, although knowledge of

⁹⁸ Republic of Kosovo/Government of Kosovo/Ministry of Health, Health Sector Strategy 2010-2014, Prishtinë May 2009, available at: <http://www.mshgov-ks.org/strategjia.pdf>, accessed in December 2009

⁹⁹ Provisional Institutions of Self-Government in Kosovo, Ministry of Health, “Health and health situation”, February 2004

contraceptives among women is very high (97.5% of women in Kosovo had heard of at least one contraceptive method) only half of the women in fertile age have used a contraceptive method, while 35% are currently using contraception with a contraceptive prevalence rate that is higher in urban areas than in rural areas. Furthermore this survey reveals an increasing trend of incidence and prevalence of STIs. However, due to inadequate and insufficient reporting, the epidemiological picture of STI/Reproductive Tract Infections (RTI), including HIV/AIDS remains unclear. There is still no comprehensive strategy to counteract HIV/AIDS, and studies show that the knowledge about HIV/AIDS is very low in Kosovo. 10.5% of women claim that they had not heard about HIV/AIDS. Among women who never attended school, 47% claim not to have heard about HIV/AIDS. For women who completed their education till the primary level, 12% report not to have heard about HIV/AIDS.

- Rehabilitation services for disabilities - There is a lack of rehabilitation facilities. Rehabilitation of people with physical disabilities continues to be managed by NGOs only. The inaccessibility of buildings and public services for people with disabilities is an issue of concern.
- Human resources - In the early conflict period of 1989, a vast majority of Albanian health professionals were forced to leave public offices in health care facilities and were not able to obtain medical education in their own language. Consequently, parallel health services and education systems were established in order to provide health care services for the Albanian population, as well as to enable a continuation of medical education for Albanian students. Although the medical education provided in this structures was of relatively high standard of theoretical education, the clinical practical training was limited by the restricted access to patients in hospitals. Furthermore, despite the fact that most of the training programmes after the conflict have been focused on “hands-on” training of medical professionals, there is still a huge need for practical skills and knowledge update. Current estimations in Kosovo are that 1000 inhabitants are served by only 0.94 doctors, 2.61 nurses and 0.06

dentists. However, the utilization rates in the PHC and in hospitals are low¹⁰⁰, suggesting that financial barriers exclude many people from care, especially those belonging to the vulnerable groups, while those who can afford to pay seek care in the private sector also outside Kosovo. In addition, there is lack of proper managerial and planning skills among the leaders of health institutions.

- Infrastructure - Damaged and neglected health care facilities were rehabilitated immediately after the war. New and restored infrastructure was provided, as well as new medical equipment, while the number of beds has been progressively reduced. However, a majority of the hospitals, are based on an out-dated and wasteful concept of pavilion hospitals.
- Financing of the sector – Kosovo has no health insurance system and therefore the health sector is mainly financed from the consolidated budget of Kosovo, donations from the international community, as well as governmental and nongovernmental organisations. Private sources contribute an estimated 40%¹⁰¹. Despite receiving over 10% of the government's budget, public expenditure amounts only to 35 EUR per capita¹⁰² which is one of the lowest in Europe, and the health sector faces serious imbalances with regard to its fund allocation. By far the largest amount of health expenditure, 30%, is used for drugs, followed by expenditures on salaries. Budget allocations to municipalities and hospitals are made in relation to the size of the population in the catchments areas adjusted for the number of beds for hospitals. Authorities are fully aware of the irrational flow of resources and the need to correct it. Various measures for modernising and rationalising of the financing system are under evaluation. Furthermore, compared to the total health expenditure (public and private), which in Albania amounts to 269 EUR per capita (2006) and in Croatia

¹⁰⁰ Kosovo Health Financing Reform Study, World Bank, May 2008.

¹⁰¹ Ibid

¹⁰² Lul Raka et. al.: "Denial, Media, Endurance in Infection Control in Kosovo", International Journal of Infection Control: <http://www.ijic.info/article/viewFile/2609/2810>

(2006)¹⁰³ amounting to 814 EUR, Kosovo's 75 € per capita¹⁰⁴ in 2007 does not allow for much space for purchasing drugs, consumables and new technology at world market prices, and gives little room for provision of quality treatment. This also provides an insight for the narrow margin for infrastructure updates. With households paying 40-50% of all health care costs, the health care system seems not able to protect households against catastrophic expenditures in case of serious illness. As households with the lowest income quintile spend 13% of their income on health care¹⁰⁵ a firm risk exists that illness can push poor families into deeper poverty.

- Efficiency - With 18,4 visits per physicians per day in outpatient care the utilisation rate is the lowest in Europe and the hospitals admission rate of 6,3 per year per 10.000 population (2006) is the lowest in the region (Serbia: 12, Slovenia: 17,6). However, valid data for efficiency, productivity and for expenditure on line item is not available. In addition, there is a poor referral system and lack of standards for services and protocols.
- The lowest life expectancy in the region with 69.9 years for women and 67.8 years for men, according to the Kosovo Human Development Report (KHDR) 2004. There are no significant differences in life expectancy between ethnic groups but relatively high infant mortality and tuberculosis rates are a cause of concern.
- The major causes of death in 2007 included diseases of the circulatory system with a total of 62.55% (male 59.76%, female 66.23%), in second place Neoplasm with 13.51% (male 15.91%, female 11.48%), and in third place certain conditions originating in the perinatal period with 6.28%¹⁰⁶. Tobacco is a major contributor to morbidity and mortality. In Kosovo, more than one-third of school students between the ages of 13

¹⁰³ WHOSIS

¹⁰⁴ 100 USD at the exchange rate of 1 US Dollar = 0.75147 Euro, mid 2007

¹⁰⁵ World Bank 2008

¹⁰⁶ Republic of Kosovo, Government of Kosovo, Ministry of Public Administration, Statistical office of Kosovo, "Causes of Death in Kosovo, 2006 and 2007", September, 2009, available at: <http://www.ks.gov.net/ESK/eng/dmdocuments/CAUSES%20OF%20DEATH%20IN%20KOSOVO%202006-2007.pdf>, accessed in December 2009

and 15 years have smoked cigarettes. Almost one-fifth of all students currently use some form of tobacco and 13% of them are current cigarette smokers¹⁰⁷. Many communicable diseases, such as tularemia, brucellosis and Crimean-Congo hemorrhagic fever are endemic in the region. A high tuberculosis incidence is particularly worrisome. Water and food borne diseases, such as Hepatitis A, are endemic. Many Kosovan citizens have been exposed to traumatic events – ranging from imprisonment and torture, to murder of a family member and sexual abuse, to separation from family, resulting in a high prevalence of PTSD (22 %)¹⁰⁸. Regarding the Swine Flu (AH1NI) Pandemic, according to the National Institute for Public Health, 213 cases have been confirmed to be infected with AH1N1 to date, out of which 10 cases died. The Ministry of Health, in coordination with support from the World Health Organization, is underrating all measures to reduce as much as possible the consequences of this pandemic, including prevention/vaccination and proper treatment.

- Dental problems are very common: More than three quarters of all children have dental caries. Gingivitis occurred in 20 % and orthodontic disorders in 60 % of the population.
- The high immunisation coverage of 98% is an exception from this general pattern, but with no formalised system in place to initiate clinical guidelines and protocols and to monitor their use, little possibility exists to impact positively the health status of the

¹⁰⁷ Kosovo National Institute of Public Health, Department of Epidemiology, Chronic Disease Unit, Prof. Dr. Naser Ramadani, "The Global Youth Tobacco Survey in Kosovo", Prishtinë May 2005, available at: <http://www.niph-kosova.org/>, accessed in December 2009

¹⁰⁸ "KRCT, "Long-term sequels of war, social functioning and mental health in Kosovo", Thomas Wenzel, Bajram Maxhuni, Ferid Agani, Feride Rushiti and Ismet Abdullahu, Kosovo, August 2006.

Environmental factors have a great effect on the health of the population¹⁰⁹. In Kosovo, the main environmental problems are: air quality, water and sewage systems, heavy metal pollution, waste management, traffic accidents and poor housing conditions.

Regions with the most polluted environment are Mitrovicë/Mitrovica (lead and zinc mines and related industry), Obiliq/Obilić (lignite mines and power plants), Glogovc/Glogovac (ferro-nickel mines and metallurgical industry) and Elez Han (limestone quarries and cement factory). The Trepca industrial complex in Mitrovicë/Mitrovica is one of the largest lead mining, smelting, refining and battery plant complexes in Europe. When operating, the complex is a serious polluter. While lead is the main pollutant, cadmium, zinc, copper and toxic gases (sulphur dioxide, sulphur trioxide, carbon monoxide, nitrogen oxides, etc.) also exceed acceptable standards. Blood testing for lead has shown children under three to be the most affected after the mine workers.

3.4.2 Drinking water and sanitation by regions; heating systems

There has been some progress in the area of water and sanitation. The Law on Environmental Impact Assessment and the Law on Strategic Impact Assessment were adopted in March, but both need to be revised to be brought in conformity with European standards. A limited number of projects envisaged in the environmental action plan have been implemented. However, Kosovo is at an early stage in alignment with European environmental standards. There has been limited progress in the area of water quality. Only 70% of the populations is connected to drinking water networks, and only a third is connected to sewage systems. The safety of large infrastructures, such as dams, dykes and water intakes, requires appropriate management and monitoring. There is no progress as regards chemicals or genetically modified organisms.¹¹⁰

¹⁰⁹Kosovo National Institute of public Health, Report on Air Pollution, January-March 2009, Prishtinë, April 2009, available at: <http://www.niph-kosova.org/>, accessed in December 2009

¹¹⁰¹¹⁰ Commission of European Communities, Commission Staff Working Document, KOSOVO UNDER UNSCR 1244/99 2009 PROGRESS REPORT, Brussels, 14.10.2009, http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf, pages 37-38, accessed in December, 2009

No progress can be reported on waste management¹¹¹. The present waste management system does not record data on waste generation, collection, treatment, recovery, and disposal in a comprehensive and structured way. Although about 90 % of the urban population has garbage collection, it is generally of poor standard because of the lack of equipment and disposal facilities. In contrast, less than 10 % of rural areas are served by regular garbage collection. The fee for waste collection is about 3 EUR per household per month, but payment collection is very low (30 - 40 %). Generation of domestic waste, based on recent data, is approximately 2 kg/per capita/day. Out of a total of 29 municipal landfills, 26 are rehabilitated and the European Agency for Reconstruction (EAR) and other donors have supported the reconstruction or construction of 9 additional regional landfills.

The complete lack of waste water treatment in Kosovo poses a precarious risk to the ground and drinking water and to nature in general¹¹².

3.4.3 Health care system

Prior to the conflict, the Kosovan health system was similar to most other former socialist countries, heavily oriented towards the provision of secondary and tertiary care and treatment rather than prevention. All health facilities were state-owned and the service funded publicly through a social security scheme. The result was a centralised, bureaucratic, and somehow ineffective health system with large facilities, low bed occupancy rate, and extended stays in hospitals. After the conflict, a lot of emphasis has been placed on improving health care services including the management, but the performance of Kosovo's health sector is still a cause of grave concern.

Based on the Health Law No 2004/4¹¹³ health care for citizens shall be implemented through a uniform, integrated, functionally linked system of healthcare activities through preventive, curative and rehabilitative health care measures

¹¹¹ Ibid

¹¹² Organization for Security and Cooperation in Europe, OSCE mission in Kosovo, Monitoring department, "Water Issues in Kosovo", July 2008, www.osce.org/documents/mik/2008/07/32394_en.pdf, paragraph four, page 11, accessed in December 2009.

The public health care services are provided at three levels:

- A. Primary health care;
- B. Secondary health care; and
- C. Tertiary health care.

A. Primary Health Care Services

Municipalities are responsible for the provision of primary health care services and follow-up of the health status of the citizens within their territory. Primary health care services are the cornerstone of Kosovo's new health care system and are implemented through family medicine teams.

Primary health care services include:

- Promotion, prevention, treatment and rehabilitation of diseases, disorders and injuries;
- Health education;
- Immunization;
- Initial diagnosis and basic health care including minor surgeries;
- Promotion of oral health and basic dental health care;
- Community based mental health care;
- Community based rehabilitation; and
- Provision of qualitative food and water.

Primary health care is provided and implemented by a Family Medicine Team consisting of the following health workers:

- General Practitioner,
- Dentist;
- Family Medicine specialist;

¹¹³ Assembly of Kosovo, Health Law, No 2004/4, <http://www.mshgov-ks.org/legislacioni/shendetesi/Ligji%20per%20Shendetesi.pdf>, accessed December 2009

- Pharmacist;
- Paediatrician;
- Gynaecologist-obstetrician;
- Specialist of clinical biochemistry; and
- Nurses, midwives, physiotherapists and medical technicians from section.

B. Secondary Health Care Services

Secondary health care services include the following:

- Out-patient health care: diagnostic, therapeutic and rehabilitative;
- Hospital health care (in patient) implementing the diagnostic, therapeutic and rehabilitative treatment on 24 hour basis;
- Health education of the patients; and
- Professional support for primary health care.

C. Tertiary Health Care services

Tertiary health care includes specialized services provided in the Health Care Institutions authorized by the Ministry of Health, institutions where the educational university process, the scientific-research works and the post graduated specialized education are developed. These services are provided only in the Clinical University Centre based in Prishtinë/Pristina.

D. Mental Health Services:

Traditionally, mental health services in Kosovo were focused on biological treatment in centralized institutions, as evidenced in the Shtime/Stimlje Institute. With the change in philosophy, there has been a corresponding move towards a decentralized, de-institutionalized model of mental health, focusing on community based mental health services.

The Mental Health Services in Kosovo are coordinated centrally by a Mental Health Officer in the Ministry of Health. In addition to the advisory role to the government, with respect to policies and legislation for the mental health, this office is involved in service planning, management, coordination, monitoring and quality assessment of mental health services¹¹⁴.

A parallel health sector exists in the Serbian majority municipalities, which are funded simultaneously by the Kosovo Government and Belgrade. Coordination between the Kosovo Government and the parallel sector in the areas of policy and operations is non-existent.

3.4.3.1 Health care infrastructure by regions

A. Primary Health Care

Primary health care services are provided through three types of health facilities. There are 32 Main Family Medicine Centres that are based in each municipality/town - 14 of them have a maternity unit -, 152 Family Health Centres and 263 Puncta (small health stations) that are based mostly in rural areas.

Ostensibly, primary health care services should be provided by doctors and nurses that have received modern training in family medicine. In this context, the ministry expects that primary care will be able to take care of 80 - 90 % of present health problems in the population.

Serbs and Roma families prefer to seek health services in primary health care facilities established within parallel structures. There are 67 primary health care facilities that are based in minority areas and are functioning under a parallel health system supported by

¹¹⁴ World Health Organization – Ministry of Health of Kosovo, WHO-AIMS Report on Mental Health System in Kosovo - Draft, 2006

the Serbian Government. It has been reported that doctors and nurses working in these facilities are paid better compared to their Albanian colleagues. Moreover, these facilities are supplied very well with drugs and other materials.

In spite of the rapid progress on the training side, primary care faces considerable problems:

- Access to primary health care varies. In urban areas, a family health centre is usually within easy reach; in rural areas the access may be much poorer and the facilities provide a poor and limited service;
- Insufficient number of healthcare professionals;
- Out-of-hours coverage in primary care is limited. If it exists, the doctors often do not know the patients and may easily refer them to hospitals;
- The referral system does not work. The patients refer themselves to the hospitals bypassing primary care;
- Lack of proper equipment, supplies and drugs from the essential drug list;
- In many rural areas, there is acute shortage of staff in primary care; and
- Although it is gradually changing, the attitudes of many clinical specialists and patients continue to be sceptical towards primary care.

B. Secondary Care

Kosovo has six regional (secondary care) hospitals, one of which is functioning under the parallel health system (Mitrovica regional hospital), and four city hospitals (two are functioning under parallel structures) that are similar to regional hospitals but with the limited scope of services. The hospitals, except the small parallel hospitals located in minority areas, are based on an out-dated and wasteful concept of pavilion hospitals¹¹⁵. They consist of separate, semi-independent clinics, each clinic providing inpatient,

¹¹⁵ Provisional Institutions of Self-Government in Kosovo, Ministry of Health, "Health and health situation", February 2004

outpatient and emergency care. They often have their own laboratories, sterilization, intensive care, operation theatres, etc. The secondary care hospitals provide services in the following specialties and supporting areas:

- Internal medicine (including pulmonology);
- Surgery (including urology);
- Orthopaedics;
- Paediatrics;
- Gynaecology and obstetrics;
- Neuro-psychiatry;
- Oto-rhino-laryngology;
- Ophthalmology;
- Dermatology;
- Radiology (including ultrasound);
- Central laboratory and Blood Transfusion Centre;
- Pathology;
- Physiotherapy (not particularly well developed); and
- Central pharmacy.

Regional Hospitals and city hospitals:

- Gjakovë/Đakovica - 480 beds
- Gjilan/Gnjilane – 388 beds
- Mitrovicë/Mitrovica North¹¹⁶ – 500 beds
- Pejë/Peć - 428 beds
- Prizren - 655 beds
- Vushtri/Vucitrn - 78 beds

¹¹⁶ Although the Mitrovicë/Mitrovica (North) Hospital is an official hospital, it behaves as a parallel institution and does not report to the Ministry

Access to health services, in terms of secondary care, seems to be more problematic, and minorities often resort to the parallel health structures that the Serb authorities continue to fund and operate.

Parallel hospitals

- Harriet Tubbman Maternity Hospital in Graqnicë/Gracanica – 7 beds
- Simonida Surgical Hospital, in Graqanicë/Gracanica – 19 beds
- Internal Medicine and Paediatric Hospital, Laplje Selo – 27 beds

C. Tertiary Health Care

Tertiary health care is provided only at the Clinical University Centre of Kosovo based in Prishtinë/Pristina. The number of professional staff working in this centre includes 501 doctors and 1,167 nurses. The Centre has 2,290 beds and provides the following services:

Clinic	Number of beds
Surgery	294
Orthopaedics	115
Gynaecology and obstetrics	572
Internal medicine	255
Infectious diseases	116
Paediatrics	252
Neuropsychiatry	159
Ophthalmology	100
Oto-rhino-laryngology	100
Maxillo-facial surgery	45
Dermatology	60
Chest medicine	68
Intensive care	38

Overall, the building standard of all health care facilities is poor. The old-fashioned construction concept of the hospitals (“pavilion hospital”) renders them ineffective and expensive. The level and quality of equipment is low. There have been hardly any capital investments during the 15-20 years preceding the conflict. The maintenance of buildings and equipment is poor.

D. Mental Health Services:

In Kosovo, the mental health services are organized in terms of catchments areas. There are seven catchments areas that provide mental health services for the population¹¹⁷.

There are nine outpatient mental health facilities (Community Mental Health Centres) which are based in the bigger cities (Prishtinë/Pristina, Mitrovicë/Mitrovica (south), Gjilan/Gnjilane, Ferizaj/Urosevac, Prizren, Pejë/Pec, Podujevë/Podujevo, Skenderaj/Serbica and Gjakovë/Dakovica) and are available to provide mental health services and treatment. One of the Prishtinë/Pristina facilities serves only children and adolescents. In addition, there are seven community residential facilities (one per 500,000 inhabitants) available in the territory of (Prishtinë/Pristina, Gjakovë/Dakovica, Prizren, Peja/Pec, Mitrovicë/Mitrovica, Drenas/Glogovac and Gjilan/Gnjilane). These facilities are called "Integrated Houses" by Kosovo Health Law. Each Integrated house has 10 residential beds reserved for psychiatric clients (2.10 beds per 100,000 populations). There are no beds in integrated houses which are reserved for children and adolescents only.

Furthermore, Kosovo has psychiatric inpatient units available with 166 psychiatric beds. Four of the units are based in district hospitals (Prizren, Peja/Pec, Gjakova/Dakovica and

¹¹⁷World Health Organization – Ministry of Health of Kosovo, WHO-AIMS Report on Mental Health System in Kosovo - Draft, 2006

Gjilan/Gnjilane) while one psychiatric clinic is based in the Prishtinë/Pristina University hospital. Of these 166 beds, none are reserved for children and adolescents only.

There are no mental hospitals located in Kosovo. In the Prishtinë/Pristina University Hospital Psychiatric Clinic, 11 beds are available for persons with mental disorders in a forensic inpatient unit. Another residential facility called "Special Institute in Shtime/Stimlje" which has 200 beds provides care for people with mental retardation, mental health disorders, and other social problems. The facility has two residential houses: one in Shtime/Stimlje and the second in Graçanicë/Graçanica where children with mental retardation are placed. This institution is in very bad condition, and only one part time psychiatrist works there.

Despite evident achievements, the situation in mental health is far from meeting the needs of the population.

- The financing of the health sector is very low in general and for mental health services in particular. The budget for the mental health sector, in 2007, is two times lower compared to the budget in 2004, and it represents less than 3 % of the total health budget (two times lower than WHO recommendations). As a consequence of this, many capacities developed in the mental health can not work effectively due to inability to employ the necessary professional staff.
- This specific difficult situation demonstrates itself through the high number of chronic psychiatric patients from Kosovo in psychiatric hospitals in Serbia, but also the rehabilitation and difficult psychosocial integration of non Kosovan residents in the special institution in Shtime/Stimlje.
- Complex psychological consequences of war traumas, rapid developments of cultural and social transition, and the difficult economic situation with rising

unemployment and poverty¹¹⁸, present additional difficult circumstances for further development of the mental health services in Kosovo.

- There is a high prevalence of Post Traumatic Stress Disorder - PTSD (22 %), of emotional distress(43.6 %) and depression (41.8 %) in the population of persons 15 years of age and older¹¹⁹
- The increase of suicides in Kosovo (2.93/100,000)¹²⁰, particularly as concerns adolescents, is also a serious indicator of insufficiency in the mental health services.

The situation is no better when it comes to addiction disorders and the complex problem of forensic psychiatry. Another problematic issue are the mental health services for children and adolescents that are not still developed, compared to the demographic population structure in Kosovo. Moreover, mental health services in the public sector are provided by only 38 psychiatrists and 9 psychologists for the entire Kosovan population which is estimated to be between 2 and 2.5 millions.

3.4.3.2 Eligibility criteria and access to health care services

Currently the only eligibility criterion to have access to health care services is to be registered as a citizen of Kosovo. This is due to the fact that Kosovo has no health insurance system in place and is financed through the Kosovan Government. Until such a health insurance system is established, a person does not need to be employed in order to receive health care services.

¹¹⁸ Ministry of Health of Kosovo supported by World Health Organization, "Strategy for Mental Health in Kosovo 2008-2013, October 2007

¹¹⁹ KRCT, "Long-term sequels of war, social functioning and mental health in Kosovo". Thomas Wenzel, Bajram Maxhuni, Ferid Agani, Feride Rushiti and Ismet Abdullahu, Kosovo, August 2006.

¹²⁰ Prevalence of suicidal preoccupations among Kosovar's 15 year and older. Conference of the Albanian Psychiatry League, Tirana, Albania. September 29-30 2006

3.4.3.3 Costs of healthcare

Theoretically speaking, based on the Health Law No. 2004/4, Chapter V, section 22, health care services are provided free of charge in public health institutions for the special groups of population as follows:

- Children and adolescents up to 15 years of age;
- Pupils and students until the end of regular school terms;
- Citizens over 65 years of age;
- Citizens who are immediate family members of martyrs, war invalids' immediate family members, and recipients of social assistance and close members of their families; and
- People with disabilities.

However, as mentioned earlier, Kosovo has no health insurance system yet; therefore the entire health budget is allocated from the Kosovo Consolidated Budget which is usually very low and far from sufficient to cover the health needs of the population. For the year 2010, the health budget is planned to be around 71 million EUR, which is 3% less than the health budget for 2009. Moreover, the majority of this budget goes to the salaries of health care providers. It should be noted that the average monthly salary of a specialist doctor is around 260 EUR.

Individuals and families who do not belong to the groups described above must pay a so-called co-payment fee in order to receive health services. The co-payment fees are regulated with the administrative instruction 6/2006¹²¹ issued by the Ministries of Health and Finance on May 30, 2006. For the primary health care services a person should pay

¹²¹ Ministry of Health and Ministry of Finance of Kosovo, Administrative instruction 6/2006, 30 May 2006: www.mshgov-ks.org/legjislacioni/udhezimet_administrative/Udhezimet%20Administrative/2006/Nr_06_2006_Alb_Ser.pdf, accessed in December 2008.

an average of 2 EUR depending on the service¹²². Fees for the secondary and tertiary services vary depending on the service, e.g. a consultation with a specialist is 3 EUR; inpatient treatment is 3 EUR per night spent in the hospital; diagnostic tests range from 5 EUR up to 25 EUR for a CT scan; diagnostic procedures range from 10 EUR for Sigmoidoscopy up to the 150 EUR for the coronarygraphy¹²³

There are a few private companies that offer health insurance, but due to the high level of unemployment (45%), the vast majority of the Kosovo population can not afford this insurance.

In reality, the situation in the health sector is daunting, despite recent achievements in the past years. Patients usually pay for medication from their own pocket, including for drugs on the essential drug list, which are supposed to be provided free of charge by the Ministry of Health. Very often, in order to receive health services in hospitals, patients need to bribe professionals with the fees that are much higher than their monthly salaries (250 EUR to the anaesthetist, 690 EUR to the surgeon, 150 EUR for pre-operative laboratory in a phlebotomy). If these under-table payments can not be made, patients will face a long waiting time - often months¹²⁴.

Over 40 % of Kosovan citizens believe that there is large scale of corruption in the health care sector¹²⁵.

3.4.3.4 Discrimination in health care system

According to the Health Law, chapter III, section 12, provision of health care should be based on the following principles:

¹²² Ibid p.7-9

¹²³ Ibid p.10-21

¹²⁴ European Commission Liaison Office to Kosovo (ECLLO), unpublished draft report, Mental Health and Physical Disabilities. Peer assessment mission on vulnerable groups in Kosovo, 30/06/2008 - 04/07/2008, Melanie Wohlgenannt MD, MPH, Tyrolean Public Health Services, Austria, paragraph two p.1.

¹²⁵ United Nation Development Programme (UNDP), Early Warning Report – Report # 24, April 2009, http://www.ks.undp.org/repository/docs/FF_24_English.pdf , p. 5, accessed in December 2000.

- Equity;
- Quality;
- Honesty/Responsibility;
- Inclusiveness and Non-discrimination;
- Sustainable Financing ;
- Financing/Cost-effectiveness; and
- Co-financing.

In addition, the Kosovo parliament has passed Law 2004/3 on Anti-Discrimination, promulgated by UNMIK Regulation 2004/32¹²⁶.

Minorities do not seem to be deliberately excluded from access to health services, mental health services and/or services for handicapped and/or disabled people. However, the overall access to health care is made difficult by corruption, long travelling times, poor and infrequently running public transportation. In the end, it is the most vulnerable groups, persons with disabilities, who are the victims in this system¹²⁷.

Distrust between the ethnic groups in Kosovo has seriously affected the provision of health services to the minorities. The non-Serb minorities, such as the Turks, Roma, Egyptians, Ashkalis, Bosniacs, Goranis and Croats, appear to coexist relatively peacefully with each other as well with both the Albanians and Serbs. Consequently, they seem to have reasonable access to health services. They are also assumed to be relatively well integrated in the Kosovo society.

When discussing “minority health”, the concerns depend on the speaker. The Albanians deplore the existence of parallel health care structures, refusal of the Serbs to accept the

¹²⁶ Assembly of Kosovo, Law No 2004/3, Law on Anti-Discrimination, February 2004, http://www.unmikonline.org/regulations/unmikgazette/02english/E2004regs/RE2004_32_ALE2004_03.pdf, accessed in December 2009

¹²⁷ European Commission Liaison Office to Kosovo (ECLC), unpublished draft report, Mental Health and Physical Disabilities. Peer assessment mission on vulnerable groups in Kosovo, 30/06/2008 - 04/07/2008, Melanie Wohlgenannt MD, MPH, Tyrolean Public Health Services, Austria, paragraph three, page 1

authority of the Ministry of Health and interference of the Serbian Ministry of Health in health matters in Kosovo. The Serbs complain about poor access to hospitals, particularly tertiary health care, safety and quality of care in the Albanian dominated facilities, and the situation of Serb health workers who have lost their jobs.

However, based on UNHCR Kosovo Serbs and Roma access primary health care through parallel institutions in Kosovo, and specialized care in Serbia. Kosovo Albanians in the north access health care in the South.¹²⁸

3.4.3.5 Services of non-state agents in health care

Private sector

There are many private clinics and hospitals, but they are mainly concentrated in the larger cities of Kosovo, especially those that are more specialized, which are located only in Prishtinë/Pristina. Private practices are not well regulated by law; therefore it is difficult to give a clear indication about the quality of services they provide. In addition, many private practices are not licensed by the Ministry of Health of Kosovo; therefore they are not accountable to the Ministry.

In reality, private practices are rarely used by the population, except for a very small group who is able to afford such services. For example, a simple consultation in the private sector would cost 20 to 50 EUR, excluding fees for medicines and diagnostic tests. Inpatient treatment in private hospitals would cost anywhere between 100 to 150 EUR per night, excluding treatment interventions, tests and medicines.

¹²⁸ ¹²⁸ United Nations High Commissioner for Refugees (UNHCR), 9 November 2009, HCR/EG/09/01, <http://www.unhcr.org/refworld/docid/4af842462.html>, page 23, accessed in November, 2009

3.4.3.6 Diseases which cannot be effectively treated in the country

In addition to the questionable quality of services in general, there are several health problems which cannot be treated at all in the country. These diseases include the following:

- Cardio-surgery;
- Cancer treatment - radiotherapy and certain types of chemotherapy;
- Transplantation;
- Leukaemia;
- Spinal surgery;
- Serious eye disease;
- Severe burns

3.4.3.7 Supply with standard medicines

There is an essential drug list¹²⁹, which lists drugs that are free of charge, for the secondary and tertiary health care, as well as a list of consumable materials¹³⁰ that are supposed to be supplied by the Ministry of Health. These lists contain 168 different drugs and medical products and 239 items of consumable materials. However, most of the time these supplies are insufficient and patients must purchase them in the private pharmacies for their own money. Furthermore, important diagnostic and treatment procedures very often can not be performed in the public institutions due to the lack of supplies. Recently, there has been some noticeable improvement with respect to supplies, but at the same time there is a serious concern regarding the sustainability of this improvement.

¹²⁹ Ministry of Health Of Kosovo, Essential Drug List for Secondary and Tertiary Care, http://www.mshgov-ks.org/departamentet/farmaci/Lista_esenciale_barnat_13_8_2008.pdf, accessed in December 2009

¹³⁰ Ministry of Health Of Kosovo, Essential List of Consumable Materials for Secondary and Tertiary Care http://www.mshgov-ks.org/departamentet/farmaci/Lista_Esenciale_materiali_shpenzues_13_8_2008.pdf, accessed in December 2009

LIST OF ABBREVIATIONS

APPK	Employment Promotion Agency Kosovo
AUK	American University in Kosovo
BPRM	Bureau of Population, Refugees, and Migration
CIT	Corporation Income Taxes
CT	Computerized Tomography
EAR	European Agency for Reconstruction
ECLO	European Commission Liaison Office
EU	European Union
EULEX	European Union Rule of Law Mission
GDP	Gross Domestic Product
GTC	German Training Centre
GTZ	German Technical Cooperation
HDP	Housing and Property Directorate
HPCC	Housing and Property Claims Commission
ILO	International Labour Organization
IMF	International Monetary Fund
IOM	International Organization for Migration
ISSR	Internal Security Sector Review
JIU	Judicial Investigation Unit
KEP	Kosovo Enterprise Programme
KFOR	Kosovo Forces – North Atlantic Treaty Organization
KJC	Kosovo Judicial Council
KOSVET	Kosovo Vocational Education and Training
KPA	Kosovo Property Agency
KPC	Kosovo Protection Corps

KPS	Kosovo Police Service
KRCT	Kosovo Rehabilitation Centre for Torture Victims
KRK	Kosovo Rural Credits
MCCR	Municipal Centre for Civil Registration
MESP	Ministry of Environment and Spatial Planning
MFI	Micro Financial Institutions
MLSW	Ministry of Labour and Social Welfare
NGO	Non-Governmental Organization
NLB	New Ljubljana Bank
OSCE	Organization for Security and Cooperation in Europe
PIA	Pristina International Airport
PISG	Provisional Institutions of Self-Governance
PIT	Personal Income Taxes
PTSD	Post Traumatic Stress Disorder
SCW	Social Welfare Centre
SIDA	Swedish International Development Agency
SRSR	Special Representative of Secretary General
THB	Trafficking with Human Beings
UBT	University of Business and Technology
UNDP	United Nation Development Programme
UNHCR	United Nation High Commissioner for Refugees
UNMIK	United Nation Mission in Kosovo
VAT	Value Added Tax
VCT	Vocational Training Centre
WHO	World Health Organization

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